



**124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-45629-2024

Date of Decision: 16.09.2024

Sandeep Kundra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rajesh K. Dadwal, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

Learned counsel for the petitioner submits that Section 560 of IPC instead of 506 IPC has been wrongly written in the head-note as well as in the prayer clause of the main petition and the same may be corrected.

Since it is merely a clerical mistake, Section 506 of IPC is ordered to be substituted instead of Section 560 in the head-note as well as in the prayer clause of the main petition subject to payment of costs of Rs.1000/- to be deposited with the Punjab & Haryana High Court Lawyers Welfare Fund.

Main petition

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 12.08.2024 (Annexure P-6) passed by the Ld. SDJM, Phillaur vide which bail has been cancelled and his bail bonds/surety bonds have been forfeited to the State and arrest warrant has been issued against the petitioner in case FIR No.52 dated 10.02.2018 under Sections 384/170/506 of IPC, 1860 registered at Police Station Phillaur, District Jalandhar Rural, Punjab.

2. Learned counsel for the petitioner submits that due to some family problem petitioner he could not appear before the Court on 12.08.2024 and due to non-appearance his bail was cancelled and his bail bonds/surety bonds were forfeited to the State despite the fact that matter has already been compromised with the complainant. Now the case is fixed for 03.10.2024 before the trial Court and the petitioner is ready to appear before the Ld. trial Court. He further submits that even co-accused namely Subhash Joshi @ Subhash Chander and complainant had already entered into compromise and FIR qua co-accused only i.e. CRM-M-50949-2021 had already been quashed by the co-ordinate Bench of this Court vide order dated 18.02.2022 (Annexure P-5).

3. Notice of motion.

4. Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of the State.

5. Heard.

6. Without commenting upon the merits of the case, the order dated 12.08.2024 (Annexure P-6) passed by the Ld. SDJM, Phillaur is hereby quashed and the petitioner is directed to surrender before the concerned Court on or before the next date i.e. 03.10.2024 and on doing so, he be admitted to bail to the satisfaction of the trial Court/Duty Magistrate.

7. Petition stands disposed of.

16.09.2024

Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No