



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

CRM-M-46289-2024
Date of decision: 18.09.2024

Shamsher Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Barjinder Singh , Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 29.05.2024 Annexure P-4 passed by the Court of Judicial Magistrate Ist Class, Kapurthala vide which the bail bonds/surety bonds of the petitioner were cancelled on account of absence of the petitioner before the Court concerned in a criminal case having FIR No.22 dated 18.03.2023 Annexure P-1 registered under Sections 279, 427, 337, 338 IPC in Police Station Subhanpur, District Kapurthala.

2. Counsel for the petitioner submits that the offences being bailable the petitioner was enlarged on bail by the Court concerned during the investigation of the case. Thereafter, the petitioner was regularly attending the Court proceedings but got absented on 29.05.2024 due to noting down of wrong date and consequently, impugned order Annexure P-4 was passed by the learned trial Court in a hasty manner without taking into consideration the fact that this was single default on the part of the petitioner. Counsel for the petitioner further submits that petitioner is ready



and willing to join the proceedings before the trial Court at the earliest.

3. Notice of motion.
4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and submits that there is no illegality or infirmity in the impugned order Annexure P-4 which was passed by the learned trial Court as per law, on account of the absence of petitioner on the date fixed. However, the State counsel has not disputed the fact that all the offences are bailable offences and further till date the petitioner has not been declared as proclaimed person.
5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction, subject to cost of Rs.5000/- to be deposited by the petitioner with the District Legal Services Authority concerned.
6. Disposed of in aforesaid terms.

18.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No