



CRM-M-49634-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(130)

CRM-M-49634-2024
Date of Decision : 03.10.2024

Arjan Singh ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Amaninder Singh Sekhon, Advocate and
Mr. Sushil Kumar, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 528 of BNSS, 2023, challenge is thrown to the order dated 05.06.2024 (Annexure P-1), passed by the learned Additional Sessions Judge, Faridkot, in case No.SC-46-2024, titled as 'State vs. Satnam Singh @ Sunny and others', in FIR No.178, dated 11.10.2023, under Sections 384, 436, 427 and 120-B of the IPC, 1860, registered at Police Station City Kotkapura, District Faridkot, wherein, the bail bonds/surety bonds, furnished by the petitioner were forfeited to the State and non-bailable warrants of arrest has been issued against the present petitioner, on account of his non-appearance before the learned trial Court, concerned.
2. Learned counsel for the petitioner submits, that the petitioner was earlier granted the relief of regular bail by a coordinate Bench of this Court, vide order dated 20.03.2024 (Annexure P-3), passed in CRM-M-61990-2023, and thereafter, the petitioner was continuously appearing before the learned trial Court concerned. On account of non-appearance of the petitioner on

05.06.2024, his bail bonds/surety bonds were forfeited to the State and non-bailable warrants were issued against him.

3. Though, the learned counsel for the petitioner has remained unsuccessful to challenge the legality of the order (*supra*), passed by the learned Additional Sessions Judge, Faridkot, however, he submits that the petitioner is still ready and willing to surrender before the learned trial Court concerned, in case adequate protection is granted to him. Thereafter, he made a request that direction be passed upon the learned trial Court concerned, to decide the regular bail application of the petitioner, on the same day.

4. The innocuous and *bona fide* prayer made by the learned counsel for the petitioner is accepted.

5. The petitioner is directed to cause appearance, within 15 days from today, before the learned trial Court, concerned. In case, the petitioner cause appearance and files an application for regular bail, before the learned trial Court concerned, the latter shall decide the bail application, on the same day itself, after giving an adequate opportunity of hearing to the parties concerned.

6. The arrest of the petitioner, in pursuance of the non-bailable warrants issued against him, is stayed, for the next 15 days. In case, the petitioner fails to cause appearance within the next 15 days and fails to file application for regular bail, the interim protection granted by this Court, would *ipso facto* be vacated, without any further reference to this Court.

7. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

October 03, 2024

Manpreet

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No