

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

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**CRM-M-49523-2024
DATE OF DECISION: 03.10.2024**

AMRIT**...PETITIONER****Versus****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: None for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under section 482 of the Code of Criminal Procedure praying for quashing of order dated 06-08-2024 (Annexure: P-3) passed by Additional Sessions Judge, Jalandhar in FIR No. 57 dated: 19-04-2018 (Annexure: P-1/T) U/s 379-B, 34. Later on, Section 411 of IPC added in Challan of FIR No. 57 dated: 19-04-2018, which registered at P.S. Division No.2, Jalandhar vide which the bail of the petitioner has been cancelled and non-bailable warrants have been issued against the petitioner for his non-appearance.

A perusal of the case file depicts that the petitioner was regularly appearing before the Trial Court but on one date i.e. 06.08.2024 under the misconception wrongly noted the date as 12.08.2024 instead of 06.08.2024, therefore, bail order of the petitioner has been cancelled and non-bailable warrants have been issued against the petitioner for his non-appearance.



Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State.

Learned State Counsel submits that if the petitioner join the trial proceedings without any delay or default in future, he is not averse to the concession of bail if granted to him.

Considering the submissions made in the petition and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.



Consequently the impugned order dated 06-08-2024 vide which bail of the petitioner has been cancelled and Non-Bailable Warrant has been issued against the petitioner is set aside and the instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

03.10.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>