



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

137

CRM-M-51620-2024
DATE OF DECISION: 18.10.2024

BAGHEL SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Aazam Khan, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS for quashing the order dated 13.08.2024 (Annexure P-2) vide which the court below has cancelled the bail bonds and surety bonds of the petitioner and has been summoned through non-bailable warrant of arrest in a case FIR No 48 dated 22.02.2023, under Sections 307, 323, 324, 326, 120-B, 148, 149 of IPC, at PS Civil Line Batala in Distt. Batala.

Learned counsel for the petitioner submits the petitioner was regularly appearing on each and every date, but he could not appear in Court on one date i.e. 13.08.2024 due to his ill health, thereafter, the impugned order was passed. He did not had any intention to avoid attendance in the Court proceedings. He undertakes that the petitioner



will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel 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 ten 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.



The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

18.10.2024
anuradha

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