



CRM-M-56751-2024

-1-

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

CRM-M-56751-2024

Date of Decision: 18.11.2024

Ravi Vashisht

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Dixit Garg, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 27.08.2024 (Annexure P-11) and order dated 20.12.2023 (Annexure P-8) passed by learned Additional Sessions Judge, Ludhiana in case No.SC-215-2023 in FIR No.125 dated 11.08.2022, registered at Police Station City Khanna, District Ludhiana, under Section 379-B IPC (Sections 411/34 IPC added lateron) and all the subsequent proceedings arising therein.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that after registration of the FIR against the petitioner, he was granted bail by learned trial Court and thereafter, he was duly appearing before it. He submits that during the pendency of the case, compromise was effected between the parties and the petitioner was under the impression that his case got closed and did not appear before the Court on 20.12.2023, due to which his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants and thereafter, on 27.08.2024, he was declared as proclaimed person. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and



CRM-M-56751-2024

-2-

condition, if any imposed by this Court.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and submits that learned trial Court has rightly cancelled the bail of the petitioner and declared him proclaimed offender, as he failed to appear before the Court on the date fixed.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that due to alleged misunderstanding, the petitioner could not appear before the trial Court on 20.12.2023, and because of his non-appearance, his bail was cancelled and bail bonds/surety bonds were forfeited to the State and thereafter, on 27.08.2024 he was declared as proclaimed person. In these circumstances, when the petitioner is ready to join and face the proceedings, the orders dated 20.12.2023 and 27.08.2024 are set aside subject to payment of Rs.10,000/- as costs to be paid to Sadhna Society for Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh by the petitioner within period of seven days from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the orders dated 20.12.2023 and 27.08.2024 will come in force and the present petition shall be deemed to have been dismissed.
9. Petition stands disposed of in abovesaid terms.

18.11.2024		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned	: Yes/No
	Whether Reportable	: Yes/No