



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61045-2024
DECIDED ON: 05.12.2024

PRINCE AND ANOTHER
.....PETITIONERS

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amit Arora , Advocate
for the petitioners.

Mr. Jaspal Singh Guru, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 for quashing of impugned order dated 27.09.2024 (Annexure P-2) vide which the bail orders of the petitioners stands cancelled and the petitioners have been ordered to be summoned through proclamation straightway passed by Judicial Magistrate 1st Class, Amritsar.
2. Learned counsel for the petitioners submits that on 14.08.2024, the petitioners could not appear before the trial Court, as they have noted down wrong date of hearing, as such on the said date, they were ordered to be summoned through non-bailable warrants and case was adjourned to 27.09.2024. On 27.09.2024, the petitioners failed to appear, as their bail bonds stands cancelled and, therefore, they were ordered to be summoned through proclamation straightway.

3. Learned counsel for the petitioners undertakes on behalf of the petitioners that they are ready and willing to surrender before the trial Court.

4. Be that as it may, without going further into the technicalities and the legality of the order, once the petitioners are ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

5. The petitioners shall surrender before the trial Court within a period of 7 days from today and in case, they move an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

6. However, this Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed.

7. As a penalty for causing delay in the trial proceedings, the petitioners penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Punjab & Haryana High Court Employees Welfare Association.

8. A copy of receipt qua the deposit of such cost shall be furnished before the trial Court at the time of surrender.

9. The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

05.12.2024

Meenu

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