



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61043-2024
DECIDED ON: 05.12.2024

GURPREET SINGH ALIAS GOPI
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Bhupinder K. Bhangu, Advocate
for the petitioner.

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 04.10.2024 (Annexure P-4) vide which the bail bonds and surety bonds of the petitioner has been cancelled and non-bailable warrants have been issued with a further direction to quash the order dated 27.11.2024 (Annexure P-5) vide which the Court below ordered to serve the petitioner through proclamation under Section 82 Cr.P.C.
2. Learned counsel for the petitioner submits that on 04.08.2024, the petitioners could not appear before the trial Court, as they had noted down wrong date of hearing as 14.10.2024 instead of 14.08.2024, as such on three occasions i.e., 14.08.2024, 27.08.2024 and 13.09.2024, the petitioner could not appear before the trial Court and, therefore on 04.10.2024, the Court below has issued non-

bailable warrants and vide order dated 27.11.2024 (Annexure P-5), the petitioner has been declared proclaimed offender.

3. Learned counsel for the petitioner undertakes on behalf of the petitioner that he is 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 petitioner is 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 petitioner shall surrender before the trial Court within a period of 7 days from today and in case, he moves 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 petitioner penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Punjab & Haryana High Court Bar Clerk’s 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.

05.12.2024

(SANDEEP MOUDGIL)
JUDGE

Meenu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No