



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

CRM-M-61181-2024
Date of decision: 11.12.2024

Boby @ Bobby Mehra @ Sain ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. G.S. Simble, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 23.10.2024 Annexure P-4 passed by the Court of Additional Sessions Judge, Amritsar vide which the bail order of the petitioner was cancelled and he was ordered to be summoned through non bailable warrants of arrest on account of absence before the trial Court in a criminal case having FIR No. 0208 dated 21.10.2023 Annexure P-1, under Sections 394, 379-B, 386, 341, 120-B IPC and Section 25 of Arms Act, registered at Police Station Civil Lines, District Police Commissionerate Amritsar.

2. Counsel for the petitioner inter alia submits that petitioner who was arrested during investigation of the case was granted regular bail and thereafter, he was appearing before the trial Court on each and every date of hearing. However, on 23.10.2024, the petitioner was unable to appear before the trial Court on account of his medical condition. At the relevant time, he was admitted in Marwah Multi Speciality Hospital, Batala, as is evident from discharge certificate Annexure P-3. Counsel for the petitioner further submits that absence of the petitioner before the trial Court on the date fixed was not intentional and this was single default on the part of the petitioner and that petitioner is ready and willing to join the proceedings



before the trial Court at the earliest.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and on instructions from ASI Satpal Singh, submits that the petitioner who was earlier granted regular bail and got absented and accordingly trial Court passed impugned order dated 23.10.2024. However, the State counsel has not disputed the fact that this was single default on the part of the petitioner as he got absented without any intimation to the Court concerned on 23.10.2024.

5. In light of the above, without expressing any opinion on the merits of the case, the present petition is disposed of in the interest of justice and in order to avoid any further delay in trial and the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction, subject to cost of Rs.10,000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

6. Disposed of in aforesaid terms.

7. Needless to say that the petitioner is to be remain careful in future and is to appear before the trial Court on each and every date of hearing.

11.12.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No