

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62219-2024

Date of Decision:- 11.12.2024

NARINDER SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Anureet S.Sidhu, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner Narinder Singh has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned order dated 26.09.2024 passed by learned Additional Session Judge, Patiala (Annexure P-3) vide which bail order of petitioner was cancelled and bail bonds and surety bonds were forfeited to the State in FIR No.0253 dated 19.08.2020, under Sections 307, 353, 186, 332, 333, 148, 149 of Indian Penal Code, 1860 and Section 52 A of Prisons Act, 1894, registered at Police Station Tripri Patiala, District Patiala (Annexure P-1).

2. Learned counsel for petitioner argued that petitioner was granted bail vide order dated 03.06.2021 (Annexure P-2). He absented before the trial Court as he was suffering from health issue being patient of cancer and his card of Homi Bhabha Cancer Hospital, Sangrur is Annexure P-4. Accordingly, he was marked absent and his arrest warrants were issued vide order dated 26.09.2024 (Annexure P-3). There was no intentional

absence on his part. His arrest warrants were received back unexecuted and now the next date fixed in his case is 20.12.2024. Copy of order dated 04.11.2024 is Annexure P-5. Petitioner will abide by the terms of bail order. It is prayed that impugned order dated 26.09.2024 may kindly be set aside and he may be granted relief as the Court may deem fit and proper in the given facts and circumstances of the case.

- 3. Notice of motion.
- 4. On asking of this Court, Mr. Kewal Singh, Addl. A.G., Punjab accepts notice on behalf of State and does not dispute the aforesaid factual position.
- 5. I have considered the facts and the documents annexed with the petition. As referred above, present petitioner is a patient of cancer, he could have filed application for exemption of his personal appearance, in case there is some health issue. His bail order was cancelled and bail bonds and surety bonds were forfeited to the State by passing impugned order dated 26.09.2024. Petitioner is ready to face the trial.
- 6. Considering his health condition, lenient view is taken and impugned order dated 26.09.2024 is accordingly set aside. Petitioner is directed to surrender before the learned trial Court/Duty Judge concerned on or before next date i.e. 20.12.2024 and be released on bail to the satisfaction of trial Court, failing which learned trial Court may proceed as per law.
- 7. Petition is accordingly disposed of.

11.12.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGE