



126

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

**CRM-M No.61654 of 2024
Date of decision : 11.12.2024**

Manish Mattu

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vipin Kumar Sharma, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 22.10.2024 passed by learned Additional Sessions Judge, Ferozepur (Annexure P-4) vide which the bail order of the petitioner was cancelled and his bail bonds and surety bonds were forfeited to the State in case FIR No.102, dated 02.07.2022, under Sections 399, 402 of IPC and Section 25 of Arms Act, Police Station Makhu, District Ferozepur (Annexure P-1).
2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the FIR, however he was granted regular bail. He has submitted that the petitioner was regularly appearing before the trial Court. He has submitted that on 03.09.2024, the petitioner informed his counsel that application for exemption from personal appearance may kindly be made as due to unavoidable circumstances, he could not appear before the trial Court but counsel for



the petitioner failed to do the needful and thus the case was adjourned for 22.10.2024 and non bailable warrants were issued against the petitioner. He has submitted that the petitioner contacted his counsel many times to know about the status of the case but counsel for the petitioner has not informed anything to the petitioner and thus, on 22.10.2024, due to his absence, his bail order was cancelled and bonds bonds and surety bonds were forfeited to the State. He has submitted that now the non-bailable warrants were issued against the petitioner for 17.12.2024. He has submitted that absence of the petitioner was totally unintentional. He has further submitted that the petitioner is ready and willing to appear before the trial Court and comply with all the conditions imposed upon him.

3. Notice of motion.

4. On asking of the Court, Mr. Karunesh Kaushal, AAG, Punjab appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail order of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent and thus, his bail order was cancelled and non bailable warrants of arrest were issued for 17.12.2024. The reason for his absence has been given that he was not aware about the date fixed. As the petitioner is now keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 22.10.2024 (Annexure P-4) is hereby *set aside* subject to payment of costs of Rs.5,000/- to be deposited with the Spinal Rehab Centre, Plot No.1, Madhya Marg, Sector 28-A,



Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 22.10.2024 would come in force and the present petition would be deemed to have been dismissed.

11.12.2024
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No