



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

142

CRM-M-62553-2024
DATE OF DECISION: 12.12.2024

BABANDEEP SINGH @ BABNA **...PETITIONER**

Versus

STATE OF PUNJAB **... RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. S.S. Gill, Advocate for the petitioner(s).
 Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 528 of B.N.S.S, 2023 for quashing of the order dated 01.10.2024 (Annexure P-2) whereby arrest/non-bailable warrants have been issued against the petitioner due to non-appearance on one date and his bail bonds were cancelled and order dated 02.12.2024 (Annexure P-3) whereby fresh arrest warrants have been issued against the petitioner by the JMIC, Sunam in respect to FIR no. 73 dated 06.06.2016 u/s/s 458, 323, 427, 506, 380, 148, 149 IPC registered at P.S. Chhajali, District Sangrur (Annexure P- 1).

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 01.10.2024 as the petitioner is a migrant worker and used to work as a helper with combine harvester and he was in Madhya Pradesh at that point of time, therefore, the Trial Court cancelled the bail of the petitioner and issued non-bailable warrants of arrest. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the



petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

12.12.2024
anuradha

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