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

CRM-M-63945-2024**Date of Decision: 18.12.2024**

Sukhraj Singh @ Sukha

...Petitioner

vs.

State of Punjab

...Respondent

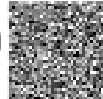
Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vaibhav Narang, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant the concession of anticipatory bail to him in case FIR No.274 dated 09.11.2022 under Sections 452, 323, 379-B(2), 427, 148, 149, 506 of IPC, registered at Police Station Gate Hakima, District Amritsar.

2. Learned counsel for the petitioner contends that the petitioner was falsely involved in the FIR, which was registered on 09.11.2022 and thereafter, he was ordered to be released on regular bail vide order dated 15.02.2023 (Annexure P-2). Learned counsel further contends that the petitioner was regularly appearing before the Trial Court and never misused the concession of bail. However, due to noting of wrong date as 24.01.2025, he could not appear before the Trial Court on 24.10.2024. Due to non-appearance of the petitioner, the Trial Court had cancelled the bail and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be



summoned through non-bailable warrants of arrest. Learned counsel for the petitioner next contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. Mr. I.P.S Sabharwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the Trial Court and there is no illegality in the impugned order dated 24.10.2024 passed by the Court below and the petitioner does not deserve the concession of bail.

6. I have heard the learned counsel for the parties and perused the record.

7. It is not in dispute that the petitioner was on bail earlier and was regularly appearing before the Trial Court, however, on 24.10.2024, he could not appear before the Trial Court, as inadvertently he had noted the wrong date of hearing before the Trial Court. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today and on his surrender, he shall be admitted to bail subject to his furnishing bail bonds and surety to the satisfaction of the concerned Court.

8. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.
9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.
10. The petition stands allowed in the above terms.

18.12.2024.
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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No