2024:PHHC:168850

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-63523-2024 (O&M)
Date of Decision:-17.12.2024

Mohit alias Dhandi Wazirpur alias Vishal Chauhan … Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mukul Bura, Advocate, for the petitioner.

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GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court challenging order dated 26.09.2024 (Annexure P-4) passed by learned Judge, Special Court, Amritsar, whereby his bail has been cancelled by the Trial Court on account of his absence on 26.09.2024.

2. This impugned order dated 26.09.2024 (Annexure P-4), having been passed by the Court on account of violation of conditions of the bail bonds/surety bonds this Court does not wish to comment upon the same.

3. It is, however, directed that in case the petitioner surrenders before the Trial Court within 10 days from today and moves an application for grant of regular bail, the Trial Court shall consider the same expeditiously while taking into account the observations made in concluding paragraph of judgment passed by this Court in *CRM-M-39172 of 2021* titled *Pawan Kumar Vs. State of Haryana and another* decided on 21.9.2021, which reads

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as under:

> "12. Before parting with this order, it needs to be added that this Court cannot lose sight of the fact that there would be certain cases where an accused is unable to appear before the trial Court on account of genuine reasons, say on account of having noted the date incorrectly or on account of certain reasons which are beyond his control. In such cases, the accused can surrender before the trial Court and it is expected that the trial Courts would take a lenient view in genuine cases and decide the regular bail application expeditiously. In a given set of circumstances where the trial Court is satisfied that there were valid reasons for the absence of an accused and that he has surrendered at the shortest possible time, the trial Court can in fact dispose of the regular bail application on the very day the same is presented by accused upon his surrender. The trial Court, in its discretion, may also chose to grant interim bail, in fit cases, but only after surrender of accused."

4. The petition stands disposed off accordingly.

17.12.2024 **(GURVINDER SINGH GILL)**
mohan **JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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