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

CRM-M-64778-2024**Date of decision : 20.12.2024****Rajbir Singh @ Nannu****.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Prateek Pandit, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 18.07.2024 passed by learned Additional Sessions Judge, Jalandhar in case FIR No.312 dated 10.11.2020 under Sections 307, 341, 323, 324, 148 & 149 IPC, registered at Police Station Division No.6, District Jalandhar, whereby the learned trial Court has issued non-bailable warrants of arrest of the accused being illegal and arbitrary and an abuse of process of law. Further prayer has been made for staying the operation of impugned order dated 18.07.2024, during the pendency of the present petition.

2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner was granted regular bail by this Court vide order dated 15.12.2021 and thereafter he was regularly appearing before the trial Court. He has submitted that due to miscommunication he could not appear before the Court on 16.12.2023 and 04.04.2024 and thus, on 04.04.2024 before lunch warrant of arrest were ordered to be issued against the petitioner. However, post lunch the petitioner filed an



application for recalling of the order vide which warrants of arrest were issued against him, was recalled. He further submits that again due to miscommunication on 18.07.2024, he could not appear before the Court and warrants of arrest were ordered issued against the petitioner. 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. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State and has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly issued warrants of arrest against the petitioner as he intentionally remained absent from the Court.

5. After hearing counsel for the petitioner and perusing the record, it is apparent that due to miscommunication the petitioner remained absent on 18.07.2024 and warrants of arrest were issued against him. Now, the petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 18.07.2024 is *set aside* subject to payment of Rs.10,000/- as costs to be paid to the **‘Day Care Centre for Elderly Disabled in home for old & Destitute People, Sector-15 Chandigarh’** by the petitioner within one week from today.

6. 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.

7. 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 18.07.2024 would come in force and the present petition shall be deemed to have been dismissed.

20.12.2024
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(RAJESH BHARDWAJ)
JUDGE

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