

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

126

CRM-M-586-2025

DATE OF DECISION: 10.01.2025

BHURE**...PETITIONER****Versus****UT OF CHANDIGARH****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. SPS Sandhu, Advocate for the petitioner(s).

Mr. Manish Bansal, PP, UT Chandigarh with
Mr. Shubham Mangla, Advocate for
UT Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 B.N.S.S of 2023 for quashing of order dated 08.11.2024 passed by Additional Sessions Judge, Chandigarh (Annexure P-1) in FIR No. 24 dated 28.03.2024 under Section 307,323 & 34 IPC and 25,27,54,59 of Arms act, registered at Police Station Sector 26, Chandigarh, whereby the bail order was cancelled and bail bonds and surety bonds were also stood cancelled and forfeited to State due to non-appearance of petitioner before the Trial Court.

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 08.11.2024 due to medical emergency. He further submits that the petitioner had sent application for personal exemption through his sister to Trial Court but being illiterate, she could not appear before the Court on time and the Trial



Court cancelled the bail bonds and issued non-bailable warrants on the same day. 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. He further submits that he volunteers to compensate for the delay caused by him in trial proceedings.

Notice of motion.

On the asking of the Court, learned Counsel for UT Chandigarh accepts notice on behalf of the respondent, 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 shall be at liberty to move an appropriate application for revival of the instant petition.



The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.20,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided preferably on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

10.01.2025
anuradha

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