

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

125

**CRM-M-384-2025
DATE OF DECISION: 10.01.2025**

GURPREET SINGH @ GOPI**...PETITIONER**

Versus

STATE OF PUNJAB**... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. G.S. Simble, Advocate for the petitioner(s).
(through VC)

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of the BNSS, 2023 for quashing the Order Dated 11.10.2024 (Annexure P-4) passed by the Sessions Judge, Gurdaspur whereby petitioner is ordered to be summoned Warrants of Arrest due to which the Anticipatory Bail granted to the petitioner in FIR No. 18 dated 27.03.2024 (Annexure P-1) under Sections 379-B, 411, 34 IPC 1860 and 25 of Arms Act 1959 registered with P.S. Sekhwan, Police District Batala, District Gurdaspur stands cancelled and bail bonds and surety bonds were ordered to be forfeited to State.

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 11.10.2024 since one false FIR No. 63 dated 06.09.2024 under Sections 137(2), 87 registered at P.S. Sekhwan was registered against him and he was apprehending his



arrest in that case, therefore, the Trial Court passed the impugned order 11.10.2024, cancelled the bail bonds and issued non-bailable warrants against him. 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.15,000/- to be deposited with the Chandi Kusht Asshram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C 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>