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

**CRM-M No.1502 of 2025
Date of decision : 14.01.2025**

Jagdeep Kumar @ Kukki Baba**.....Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Nishant Sehgal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for setting aside the impugned order dated 06.11.2024 (Annexure P-4) passed by the Court of learned Additional District & Sessions Judge, Sri Muktsar Sahib vide which the bail order of petitioner has been cancelled and bail bonds and surety bonds of the petitioner has also been cancelled and forfeited to the State and he has been summoned through non-bailable warrant of arrest in case FIR No.210, dated 11.08.2022 (Annexure P-1), under Sections 302, 341, 506, 323 & 34 of IPC, 1860, registered at Police Station City Malout, District Sri Muktsar Sahib. Further prayer has been made for staying the operation of impugned order dated 06.11.2024 (Annexure P-4).

2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case, however he was granted bail by this Court vide order dated 08.08.2023. He has



submitted that the petitioner was duly appearing before the trial Court. He has submitted that the petitioner noted the wrong date due to communication gap with his counsel, so he failed to appear only on one date i.e. 06.11.2024, then his bail is cancelled and bail bonds/surety bonds were forfeited to the State. He has further submitted that non-ailable warrants of arrest were issued against the petitioner. He has submitted that absence of the petitioner before the learned trial Court was neither intentional nor willful and he is ready and willing to appear before the trial Court and join the proceedings.

3. Notice of motion.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the bail of the petitioner has been rightly cancelled, who remained absent despite orders without any valid reason.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on one date i.e. 06.11.2024 and thus, his bail was cancelled and bail bonds/surety bonds were forfeited to the State. The reason for his absence has been given that he had noted the wrong date due to communication gap with his counsel. As 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 06.11.2024 (Annexure P-4) is hereby *set aside* subject to payment of costs of Rs.10,000/- to be deposited with the Sadhna Society for the Mentally Handicapped, Sector 13, Chandigarh by the petitioner within one week from today. 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.

6. 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 06.11.2024 would come in force and the present petition would be deemed to have been dismissed.

14.01.2025
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(RAJESH BHARDWAJ)
JUDGE

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