



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

CRM-M-5906-2025

Date of Decision: 31.01.2025

SATINDER SINGH @ SATINDER SINGH SAPPAL

....Petitioner(s)

VERSUS

STATE OF PUNJAB

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. V.K. Pujara, Advocate for
Mr. Chandan Singh Rana, Advocate
for the petitioner.

SANJAY VASHISTH, J. (Oral)

1. By way of present petition filed under Section 528 BNSS, petitioner is seeking quashing of order dated 09.01.2025 (Annexure P-3), whereby, bail granted to the petitioner is cancelled and his bail bonds/surety bonds were ordered to be forfeited to State and was ordered to be summoned through non-bailable warrants of arrest, in case FIR No.30, dated 29.04.2022, under Sections 399/402 IPC and Section 25 of Arms Act, registered at Police Station Ajitwal, District Moga.

2. Learned counsel for the petitioner submits that FIR proceedings are being faced by the petitioner since April, 2022 and except of one absence, on all other dates of hearing, petitioner had been appearing before the Investigating officer/Court concerned. On account of non-appearance of the petitioner, the learned trial Court has cancelled the bail and has issued notice to the surety under Section 446 Cr.P.C. By



cancelling the bail of the of the petitioners, non-bailable warrants of arrest have been issued against the petitioner-Satinder Singh @ Satinder Singh Sappal.

This is how the petitioner is before this Court by way of present petition.

3. Learned counsel for the petitioner by referring the certificate dated 07.01.2025 (Annexure P-4) issued by Lifeline Hospital submits that in fact, the petitioner was not well and he was advised bed rest. However, he submits that, if one opportunity is afforded to the petitioner to appear and then to grant him bail, subject to payment of some cost, he undertakes that in all the future proceedings of the present case, he will never be absent from the Court except on obtaining prior permission of the Court and will fully cooperate in the Court proceedings for early completion of trial.

4. Notice of motion.

5. On asking of the Court, Mr. Amandeep Singh, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

A copy of the complete paper book has been supplied to him by learned counsel for the petitioner.

6. Learned State counsel opposes the request of the petitioner, and submits that petitioner has willfully remained absent from the proceedings of learned Trial Court and thus, does not deserve any sympathy. Therefore, petitioner should be directed to surrender before the Court and to face trial.



7. On hearing of the petitioner and to test his bonafide, this Court deems it appropriate to consider the request of the petitioner, at least for once. It is evident that petitioner was regularly attending the proceedings before the learned Trial Court, and by way of present petition, he is seeking one chance to join the proceedings before the learned Trial Court, even on payment of some cost with certain conditions.

Besides, it is also noticed that the offences are triable by the Magistrate and are bailable in nature.

8. This Court is also of the view that paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigations, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.

9. Therefore, in the totality of circumstances and placing reliance upon the order passed by this Court in the case of **Hardeep Kumar Saini @ Bhola Vs. State of Punjab** (CRM-M-737-2025, decided on 10.01.2025), I am of the opinion that granting the petitioner an opportunity to appear before the trial Court, would serve the ends of justice. This approach would also save considerable time, effort, and resources in ensuring the petitioner's presence.

10. Therefore, it is directed that if petitioner on his own appears before the learned trial Court on or before 13.02.2025, he would be released on bail subject to his furnishing fresh bail bonds/surety bonds to

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the satisfaction of the trial Court. Besides, petitioner would submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

The petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court, in case the bail bonds have already been forfeited. Besides, petitioner would also submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

However, this order shall be subject to the payment of Rs.10,000/- as costs, to be deposited by the petitioner in an Old Age Home of the area, as may be decided by the learned Trial Court. The Trial Court shall also specify the time frame within which such costs will be required to be deposited.

Let costs amount be deposited and receipt be shown to the concerned Court by appearing, failing which this order would not be of any advantage to the petitioner.

8. With aforementioned terms, present petition stands disposed.

(SANJAY VASHISTH)
JUDGE

January 31, 2025
Sangeeta

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