



134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7791-2025

Date of Decision:11.02.2025

DARSHAN SINGH @ DARSHAN SINGH GHUMAN ...Petitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

1. The present petition has been filed under Section 528 of B.N.S.S. for quashing the order dated 02.03.2024, Annexure P-3, passed by Chief Judicial Magistrate, Amritsar in case FIR No. 15 dated 17.04.2023 under Section 25 of the Arms Act, 1959 registered at Police Station Airport, Police Commissionerate Amritsar, whereby the bail granted to the petitioner vide Order dated 20.04.2023, Annexure P-1 has been cancelled and non bailable warrants of arrest have been issued against the petitioner and for further quashing the impugned order dated 21.10.2024 (Annexure P-4) passed by the said court whereby proclamation proceedings have been issued against the petitioner U/S 82 of Cr.P.C.

2. Counsel for the petitioner submits that the petitioner has to to Canada under compelling circumstances but could not put forth any justifiable reasons for violating the conditions on which he was admitted on bail. Learned counsel for the petitioner undertakes that the petitioner will surrender before the trial Court and join the trial proceedings within two



weeks from today.

3. Notice of motion.

4. On the asking of the Court, Mr. Jaspal Singh Guru, AAG Punjab accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

5. 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 two weeks from today and apply for regular bail.

6. 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.

7. However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

8. The aforesaid order/concession to the petitioner shall be subject to payment of costs of \$ 7,000 (Canadian) to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code: SBIN0050306) on account of causing delay in judicial process and taking the court for granted by violating the terms of bail granted by the Court vide order dated 20.04.2023, 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 on the same day in accordance with law.

9. The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

11.02.2025
kv

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