



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

121

CRM-M-10151-2025

*Date of decision: 03.03.2025***Sukhwinder Singh***.....Petitioner**Versus***Heera Lal***.....Respondent***CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Piyush Setia, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS 2023 for quashing of order dated 18.09.2024 (Annexure P-4) passed by the JMIC, Sri Muktsar Sahib in NACT No.480 of 2020 instituted on 29.09.2020 titled as Heera Lal vs. Sukhwinder Singh whereby bail of the petitioner has been cancelled and his bail/surety bonds have been forfeited to the State.

Learned counsel for the petitioner submits that the petitioner could not appear in Court on one date i.e. 18.09.2024 as he had gone out of station for certain domestic work. Though an application seeking exemption was filed but the same was dismissed and the bail of the petitioner has been cancelled by the learned trial Court with his non-bailable warrants of arrest having been issued. 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.

Heard.

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/State 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.10,000/- 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 on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

03.03.2025

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |