



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

CRM-M-11043-2025

Date of decision: 19.03.2025

**AMANDEEP SINGH ALIAS AMANPREET SINGH ALIAS AMAN
....PETITIONER**

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Ms. Bhupinder Kaur Bhangu, Advocate for the petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition under Section 528 of BNSS, 2023, has been filed for quashing of the impugned order dated 09.01.2025 (Annexure P-4) passed by the learned Additional Sessions Judge-I, Kapurthala, in case bearing No. SC-208-2021 titled “*State of Punjab Versus Simranjit Singh etc*” in FIR No.20 dated 21.03.2019 registered under Sections 307, 341, 506, 148, 149 of IPC and Section 25 of Arms Act at P.S. Dhilwan, District Kapurthala, wherein the bail bonds and surety bonds of the petitioner has been cancelled and forfeited and non-bailable warrants of arrest has been issued against the petitioner.

2. It is, *inter alia*, contended by learned counsel for the petitioner that in compliance to the order passed by this Court on 01.03.2025, the petitioner has appeared before the learned trial Court and furnished the requisite bail bonds. In support of his contention, he has placed on record copy of order dated 06.03.2025 passed by learned Additional Sessions Judge-I, Kapurthala, in this regard. He has also deposited cost of Rs.5,000/- in compliance to the order dated 01.03.2025.



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3. This aspect is not disputed by learned State counsel.
4. During the course of hearing on 01.03.2025 following order was passed:

“ 2. Heard.

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after having been granted the concession of bail by this Court, vide order dated 07.11.2019, CRM-M-22588-2019, ‘Amandeep @ Amanpreet Singh @ Aman vs. State of Punjab’ had been regularly appearing before the learned Trial Court. She contends that the learned Trial Court adjourned the matter on 20.11.2024 to 09.01.2025, however, learned counsel representing the petitioner, wrongly noted the date as 20.02.2025 and on account of this misunderstanding, the petitioner could not appear in the Court on 09.01.2025, leading the learned Trial Court passing the impugned order (supra), cancelling his bail and issuance of nonailable warrants of arrest. She contends that now the proclamation had been issued vide order dated 20.02.2025 (Annexure P-5), passed by learned Additional Sessions Judge-I, Kapurthala. She contends that the absence of the petitioner is not intentional but on account of having wrongly noted the date. She contends that, if granted the concession of bail, the petitioner will regularly appear in the Court on each and every date of hearing without fail and face the trial.

4. Notice of motion, returnable for 19.03.2025.

5. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice and does not dispute the factual matrix of the case.

6. Keeping in view the above facts and circumstances, the petitioner is directed to appear before the learned Trial Court/Judge on duty/Duty Magistrate within a period of 07



days from today and in that event, learned Trial Court/Judge on duty/Duty Magistrate will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds. The petitioner is also burdened to pay a cost of Rs. 5,000/- in the District Legal Services Authority, Kapurthala, as a condition precedent for grant of interim bail.

7. The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.

8. In the meanwhile, operation of the impugned order dated 09.01.2025 (Annexure P-4), shall remain stayed till the next date of hearing.”

5. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 01.03.2025, passed by this Court, the present petition is allowed. The order dated 09.01.2025 (Annexure P-4), passed by learned Additional Sessions Judge-I, Kapurthala, stands quashed and the interim bail granted vide order dated 01.03.2025 is hereby confirmed.

6. The petition stands disposed of.

(SANJIV BERRY)
JUDGE

19.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |