



CRM-M-13266-2025

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

CRM-M-13266-2025

Date of Decision: 10.03.2025

Gursewak Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amarpreet Singh Bathindewala, Advocate,
for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 20.01.2025 (Annexure P-3) passed by learned Additional Sessions Judge, Bathinda, whereby, the application of the petitioners seeking extension of time for filing bail bonds in CRA-525-2024 titled as Gursewak Singh and another vs. Ramgaria Finance and another, has been dismissed due to non-appearance of counsel.

2. It has been contended by learned counsel for the petitioners that the petitioners were prosecuted in a complaint under Section 138 of the Negotiable Instruments Act and have been convicted and sentenced to undergo rigorous imprisonment of two years by learned trial Court. He submits that the petitioners filed an appeal before learned Appellate Court assailing the order of their conviction. Learned Appellate Court suspended the sentence awarded by learned trial Court vide order dated 29.10.2024 and directed the petitioners to furnish their bail bonds within a period of 20 days from the date of order. He submits that however, the petitioner could not file their bail bonds within the time granted by learned Appellate Court due to financial constraints and thus, they filed an application for extension of time for furnishing the bail bonds, which was dismissed on account of non-appearance of the counsel for the petitioners. He submits that the petitioners

would suffer an irreparable loss and injury, if further time is not granted to them for furnishing their bail bonds.

- 3. Notice of motion.
- 4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State.
- 5. After hearing learned counsel for the parties, it is apparent that the sentence of the petitioners was suspended by learned Appellate Court vide order 29.10.2024 subject to their furnishing bail bonds within a period of 20 days from the date of the order. However, due to financial constraints, the petitioners could not arrange the bail bonds within the time granted by the Appellate Court and they filed application for extension of time for furnishing their bail bonds, which was dismissed on account of non-appearance of their counsel. Keeping in view the fact that sentence of the petitioners has already been suspended by learned Appellate Court but he could not furnish bail/surety bonds within the period of 20 days awarded by the Appellate Court. So the order dated 20.01.2025, vide which the request of the petitioners for grant of extension of time for furnishing bail/surety bonds was declined, is set aside and the petitioners are granted one week time from today for furnish their bail/surety bonds in terms of the order dated 29.10.2024 passed by learned Appellate Court. Rest of the conditions, if any imposed by the Appellate Court in the said order will remain intact.
- 6. Petition stands disposed of in abovesaid terms.

10.03.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No