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

**CRM-M No.15459 of 2025
Date of decision : 21.03.2025**

Puneetpal Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sukhwinder Singh Dhillon, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 07.08.2024 (Annexure P-2) passed by the learned Special Judge, Sri Muktsar Sahib, District Sri Muktsar Sahib in case bearing FIR No.179, dated 25.07.2020, under Sections 379-B, 411 of IPC and Sections 25/27/54/59 of Arms Act, registered at Police Station Giddarbaha, District Sri Muktsar Sahib (Annexure P-1) vide which bail of the petitioner has been cancelled and bail bonds and surety bonds are cancelled and forfeited to the State and the petitioner has now been summoned through nonailable warrants of arrest. Further prayer has been made for staying the operation of impugned order dated 07.08.2024 (Annexure P-2) during the pendency of the present petition.



2. Precise submission made by learned counsel for the petitioner is that the petitioner was prosecuted in the case bearing FIR No.179, dated 25.07.2020, under Sections 379-B, 411 of IPC and Sections 25/27/54/59 of Arms Act and was arrested on 30.07.2020. He has submitted that the petitioner has been falsely implicated in the present FIR. After registration of the FIR, the petitioner was granted regular bail by the learned trial Court vide order dated 11.09.2020. He has submitted that after completion of investigation, the challan was presented on 21.10.2023 and the final report also stands presented in this case. He has submitted that now the case before the learned trial Court is fixed for prosecution evidence for 24.03.2025. He has submitted that after granting of the bail, the petitioner was regularly appearing before the trial Court. He has further submitted that the petitioner noted the wrong date and due to this miscommunication, he could not appear before the trial Court on the date fixed i.e. 07.08.2024. He has submitted that due to the absence of the petitioner, the learned trial Court had cancelled the bail order of the petitioner and his bail bonds/surety bonds were forfeited to the State vide order dated 07.08.2024. He has further submitted that the learned trial Court issued non bailable warrants of arrest against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional and he never misused the concession of bail granted to him. He has submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

4. On the asking of the Court, Mr. Tarun Aggarwal, Sr. DAG,



Punjab appears and accepts notice on behalf of the respondent-State. He on the other hand has contended that the nonailable warrants of arrest were rightly issued against the petitioner and he is liable to be prosecuted in the said case, as he had failed to appear in the Court despite orders.

5. I have heard counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted in case FIR No.179, dated 25.07.2020, under Sections 379-B, 411 of IPC and Sections 25/27/54/59 of Arms Act and was arrested on 30.07.2020 in which nonailable warrants of arrest were issued against him due to his absence. He has submitted that the petitioner is suffering from Hepatitis C and he was also getting the treatment of the same. He had filed the anticipatory bail before the learned trial Court, however the same was dismissed vide order dated 18.01.2025. The reason for his absence given by the petitioner is the miscommunication & misunderstanding about the actual date. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 07.08.2024 (Annexure P-2) is hereby *set aside* subject to payment of costs of Rs.15,000/- to be deposited with the Spinal Rehab Centre, Sector 28-A, Madhya Marg, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.



7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 07.08.2024 would come in force and the present petition would be deemed to have been dismissed.

21.03.2025

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(RAJESH BHARDWAJ)
JUDGE

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