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

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CRM-M-14997-2025 (O&M)

Date of decision: 19.03.2025

Mandeep Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sonpreet S. Brar, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 13.06.2024, passed by the Court of learned Judicial Magistrate First Class, Gurdaspur in case titled as ***State vs. Mandeep Singh***, arising out of FIR No. 53 dated 28.06.2022, registered under Section 420 of IPC at Police Station Kalanpur, District Gurdaspur, whereby bail of the petitioner has been cancelled and also for quashing of order dated 15.01.2025, whereby proclamation under Section 82 of Cr.P.C. has been issued against the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner has been booked in the aforesaid case and is facing trial. He was granted concession of regular bail by the Court of learned Additional Sessions Judge, Gurdaspur, vide order 30.09.2022. In the meanwhile, the petitioner was nominated as an accused in another FIR bearing No. 70 dated 25.08.2023,

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registered under Sections 420, 467, 468 and 471 of IPC at Police Station Ghanie Ke Bangar, District Batala. He approached Sessions Court as well as this Court for grant of anticipatory bail but his petitions were dismissed. Now, he has approached Hon'ble Supreme Court for grant of anticipatory bail in the said case. It is submitted that due to the aforesaid fact, the petitioner could not appear before the learned trial Court in the present case, which resulted into cancellation of his bail on 13.06.2024 and issuance of proclamation against him, vide order dated 15.01.2025. It is submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions to be imposed by this Court. He undertakes to attend the Court proceedings, as and when he is required to do so. It is, therefore, urged that the petition deserves to be allowed.

3. *Per contra*, learned Senior Deputy Advocate General, Punjab, who has advance notice of the petition, has submitted that there is no infirmity or illegality in the impugned orders. The petitioner had intentionally avoided his appearance before the learned trial Court. Hence, it is urged that the petition is liable to be dismissed.

4. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record.

5. Admittedly, the petitioner was granted concession of regular bail by the Court of learned Additional Sessions Judge and was regularly appearing before the learned trial Court. However, due to aforesaid reason, he absented himself from the Court proceedings, consequent to which, his bail had been cancelled and now proclamation proceedings have been initiated against him, which are stated to be pending for 20.03.2025. The absence of

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the petitioner on the aforesaid dates was obviously due to his apprehension of being arrest in the aforementioned case, for which, he was availing his legal remedies but it does not attract the consequence of detaining him into custody through the entire trial. He is ready to join the Court proceedings and abide by the terms and conditions to be imposed upon him. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that the petitioner deserves some leniency in the matter. In view thereof, the present petition is disposed of. The petitioner is ordered to appear before the learned trial Court on 20.03.2025 and on doing so, he shall be released on bail by the learned trial Court, subject to his furnishing fresh personal/surety bonds to its satisfaction.

6. Let a copy of this order be given *dasti* to learned counsel for the petitioner under the signature of the Reader of this Court.

19.03.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>