



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

CRM-M-15203-2025 (O&M)

Date of Decision: 20.03.2025

Sukhjit Lal

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Bhupinder Banga, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

CRM-11500-2025

Allowed as prayed for.

Main case

1. Prayer in the present petition is for quashing of the impugned order dated 21.11.2024 (Annexure P-1) passed by learned Additional Sessions Judge, Hoshiarpur in FIR No.41 dated 25.03.2021 under Section 25 of Arms Act registered at Police Station Bullowal, District Hoshiarpur, whereby non-bailable warrants have been issued against the petitioner.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner was granted bail by learned Appellate Court and thereafter, he was regularly appearing before the Court. He submits that case of the petitioner was transferred from one Court to another and due to this miscommunication, the petitioner could not appear before the Appellate Court and his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants



vide order dated 21.11.2024 by learned Additional Sessions Judge, Hoshiarpur. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the Appellate Court and abide by all the terms and conditions, if any imposed by this Court.

3. Notice of motion

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and he has opposed the submissions made by counsel for the petitioner. He has submitted that learned Appellate Court has rightly cancelled the bail of the petitioner, as he intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner on 21.11.2024, his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. The reason for non-appearance before the Court on the date fixed, as given by the petitioner is miscommunication due to transfer of case. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct the petitioner to appear before the Court concerned to face the proceedings in the present case. In these circumstances, when the petitioner is ready to appear before the Appellate Court and face the proceedings, the order dated 21.11.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid to the **Day Care Centre for Elderly Disabled in home for Old & Destitute People,**



Sector-15, Chandigarh by the petitioner within period of seven days from today.

6. The petitioner is directed to appear before the Appellate Court within a period of ten days from today and file an appropriate application alongwith receipt of abovesaid costs and the Appellate Court would grant him bail till the disposal of the appeal on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The Appellate Court is free to impose any condition on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 21.11.2024 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

20.03.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No