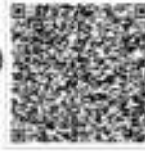


2025:PHHC:039360



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

SR. No.102

CRM-M-15842-2025

Date of decision:24.03.2025

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Karan Choudhary, Advocate
for the petitioner.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 482 of BNS with a prayer to grant anticipatory bail in case FIR No.0075 dated 15.04.2021 under Sections 379 and 411 IPC registered at Police Station City Gurdaspur.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on 15.04.2021. Learned counsel further contends that the petitioner was regularly appearing before the trial court during the course of trial. However, he could not attend the court proceedings on 01.08.2024 as he was admitted at Rehabilitation Centre. Consequently, the trial Court had cancelled his bail and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest. Learned counsel further submits that the non appearance of the petitioner was unintentional and he is

ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. Mr. M.S. Bajwa, DAG, Punjab who is present in the Court, accepts notice on behalf of respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the trial Court and there is no illegality in the impugned order passed by the court below.

6. I have heard the learned counsel for the parties and perused the record.

7. It is apparent that the FIR in the present case was registered in the year 2021 and the petitioner is facing the prosecution since then. From the record, it is apparent that on 01.08.2024, the petitioner could not appear before the trial Court and the trial Court had cancelled the bail and the bail bonds and surety bonds were ordered to be forfeited to the State.

8. Taking a lenient view of the matter, the prayer made by learned counsel for the petitioner is accepted and the petitioner is permitted to surrender before the trial Court/Duty Magistrate within a period of two weeks from today and on his surrender, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

9. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.

10. The trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

11. The petition stands allowed in the above terms.

(N.S. SHEKHAWAT)
JUDGE

24.03.2025
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO