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

CRM-M-19432-2025

Date of decision : 09.04.2025

Darshan Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. R.K. Kachura, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 09.12.2024 passed by Ld. Additional Sessions Judge, Jalandhar, District Jalandhar whereby bail order of the petitioner has been cancelled and his bail bonds and surety bonds have also been cancelled and forfeited to the State and further non-bailable warrants has been issued against the petitioner and notice under Section 446 Cr.P.C. against surety of the petitioner has been issued in case bearing No.CRA/134/2024 titled as 'Chaman Lal @ Surinder Singh Vs. State of Punjab' in FIR No.98 dated 10.09.2013 under Sections 419, 420, 465, 467, 468, 471, 477-A and 120-B of IPC, registered at Police Station Mehatpur, District Jalandhar.

2. It has been contended by counsel for the petitioner that the petitioner was convicted by the trial Court on 24.01.2024 and the same was assailed by the petitioner by way of filing of appeal before the learned Appellate Court, which is pending adjudication. He submits that sentence of the petitioner awarded by the trial Court was suspended by the same



Court for a period of one month enabling the petitioner to file an appeal against his conviction and sentence. Thereafter, the petitioner was admitted to bail by the Appellate Court and he was regularly appearing before the said Court. He submits that the bail bonds/surety bonds of the petitioner were cancelled on 09.12.2024, when he could not appear before the Court due to unavoidable circumstances. He submits that his absence was totally unintentional and the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, imposed by the Court.

3. Notice of motion.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted of the petitioner who remained absent on 09.12.2024 without any valid reason.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on 09.12.2024 and his bail bonds and surety bonds were cancelled and forfeited to the State. Although the petitioner remained absent on 09.12.2024 yet he is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 09.12.2024 is *set aside* subject to payment of Rs.15,000/- as costs to be deposited in the **‘Day Care Centre for Elderly Disabled in home for old & Destitute People, Sector-15 Chandigarh’** by the petitioner in one week from today. In case, the petitioner appears 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 09.12.2024 would automatically come in force.

09.04.2025
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(RAJESH BHARDWAJ)
JUDGE

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