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

**CRM-M No.23329 of 2025
Date of decision : 01.05.2025**

Gurjashanpreet Singh @ Gurjasan Jeet Singh @ Chini
.....Petitioner

versus

State of Punjab
..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Charitr Kadyan, Advocate for
Mr. Vinod K. Kaushal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 21.04.2025 (Annexure P-1) passed by the learned Additional Sessions Judge, Amritsar whereby the bail of the petitioner is cancelled and his bail bonds are forfeited in FIR No.159, dated 26.12.2018, under Sections 307, 148, 149 of IPC, 1860 and Section 25 of Arms Act, 1959 (offence under Sections 353, 186 of IPC and Sections 54, 59 of Arms Act added later on), registered at Police Station Maqbool Pura, District Police Commissionerate Amritsar, Amritsar (Annexure P-2). Further prayer has been made for staying the operation of impugned order dated 21.04.2025 (Annexure P-1) 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.159, dated 26.12.2018, under Sections 307, 148, 149 of IPC, 1860 and Section 25 of Arms Act, 1959 (offence under Sections 353, 186 of IPC and Sections 54, 59 of Arms Act added later on). He has submitted that the petitioner has been falsely implicated in the present FIR. After registration of the FIR, the petitioner was granted the concession of regular bail by the learned trial Court vide order dated 21.03.2023 and thereafter the petitioner was regularly appearing before the trial Court. He has submitted that the final report under Section 173 Cr.P.C. was filed on 16.05.2019 and charges were framed on 12.05.2023. He has submitted that on 21.04.2025, the petitioner was out of station and thus he could not appear. He has further submitted that his vehicle was punctured when he was on his way from Jalandhar to Amritsar. He has submitted that on 21.04.2025, the petitioner filed the application for exemption from personal appearance before the learned trial Court as he was out of station. However, the learned trial Court declined the application filed by the petitioner seeking personal exemption and cancelled the bail of the petitioner and bail/surety bonds were also forfeited to the State vide impugned order dated 21.04.2025. He has submitted that non bailable warrants of arrest were also issued 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, Addl. A.G., Punjab appears and accepts notice on behalf of the respondent-State. He on the other hand has contended that non bailable warrants of arrest were rightly issued against the petitioner and he was liable to be prosecuted in the said case, as he 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.159, dated 26.12.2018, under Sections 307, 148, 149 of IPC, 1860 and Section 25 of Arms Act, 1959 (offence under Sections 353, 186 of IPC and Sections 54, 59 of Arms Act added later on) in which non-bailable warrants of arrest were issued against the petitioner due to his absence. He has submitted that the petitioner was out of station for some urgent work and thus due to non appearance, his bail was cancelled and bail/surety bonds were forfeited to the State. Non Bailable warrants were also issued against the petitioner. 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 21.04.2025 (Annexure P-1) is hereby *set aside* subject to payment of costs of Rs.10,000/- 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. The petitioner 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 21.04.2025 would come in force and the present petition would be deemed to have been dismissed.

01.05.2025
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(RAJESH BHARDWAJ)
JUDGE

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