



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

**CRM-M-24481-2025
DECIDED ON: 06.05.2025**

IQBAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Jagjeet Singh, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of Bharatiya Nagarik Suraksha Sanita, 2023 seeking quashing of the impugned order dated 18.12.2024 (Annexure P-2) passed by Learned Judicial Magistrate Ist Class, Batala vide which the bail order, bail bonds and surety bonds of the petitioner stands cancelled and non bailable warrants of arrest has been issued to the petitioner due to his non appearance in a private complaint bearing No. COMI/705/2022 registered on dated 06.03.2014 titled as "Joginder Singh versus Satnam Singh and others" under Section 452, 323, 427, 506, 34 of IPC 1860 (Annexure P-1);

Learned counsel for the petitioner submits that it is only on 03.12.2024, 13.12.2024 and 18.12.2024, when the petitioner could not appear before the trial Court, however, he has been continuously appearing on each and every date. He further submits that the petitioner's absence on 18.12.2024 was neither intentional nor deliberate, as he had travelled to Australia due to a medical emergency involving his daughter-in-law, who resides there. Due to his absence, his bail stands cancelled and bail/surety bonds were forfeited to the State and he was summoned through non-bailable warrants for 20.12.2024.

He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Jasjit Singh Rattu, DAG, Punjab accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

In view of the above, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

There is no denial to the fact that due to petitioner's act, delay has occurred in trial proceedings and has caused prejudice to the other side and to compensate the delay which is caused by the petitioner alone, he is directed to deposit costs of Rs.20,000/- with the Punjab and Haryana High Court Employees' Welfare Association and a receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

06.05.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No