

2025:PHHC:069195



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

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CRM-M-28367-2025

Date of decision: 22.05.2025

Vishvas Kohli

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Ankit Rana, Advocate for the petitioner.

SUKHVINDER KAUR, J.(ORAL)

Present petition has been filed under Section 528, BNSS, 2023, for setting aside/quashing of order dated 21.08.2023 in CHI/50/2022 vide which the learned JMIC, Fatehgarh Sahib, has cancelled the bail order of the petitioner besides issuing non-bailable warrants against him, on account of his non-appearance in FIR No.152 dated 09.08.2021 under Sections 279, 427, 304-A IPC and Section 196 of Motor Vehicle Act, Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

The relevant facts of the present case for adjudication are that the petitioner is facing trial in the afore-said case and was granted bail by trial Court on 28.03.2022. On 21.08.2023, the petitioner became absent before the trial Court and his non-bailable warrants were ordered to be issued by the trial Court and his bail bonds and surety bonds were cancelled and forfeited to State.

It has been contended by learned counsel for the petitioner that earlier the petitioner was regularly appearing before the trial Court. The absence of the petitioner was not intentional but was due to his ill health and he was not aware about the date fixed before the trial Court. Learned counsel has submitted that the petitioner is ready to surrender before the trial Court. Therefore, the impugned order dated 21.08.2023 be set aside.

Heard.

Considering the facts and circumstances of the present case and taking note of the fact that trial of the case is likely to take time and no useful purpose is likely to be served by sending him behind the bars, the impugned order dated 21.08.2023 is set aside. The petitioner is directed to surrender and appear before the trial Court within 10 days and on doing so, he would be released on bail on furnishing his fresh bail/surety bonds to the satisfaction of the Court concerned and with the undertaking to appear regularly before the trial Court on each and every date of hearing, subject to depositing of cost of Rs.7,000/- with DLSA, Fatehgarh Sahib.

Disposed of in the aforesaid terms

22.05.2025
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(SUKHVINDER KAUR)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No