



CRM-M-31293-2025

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

CRM-M-31293-2025

Date of Decision: 01.07.2025

Jaspal Singh @ Raju and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Mohit Kumar, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 05.02.2025 (Annexure P-3), whereby, bail granted to the petitioners was cancelled and non-bailable warrants were issued against them in case of complaint COMI/91/2015 dated 26.11.2015 under Sections 323, 324, 325, 326, 307, 308, 341, 148, 149 IPC.

2. It has been contended by learned counsel for the petitioners that the petitioners have been falsely prosecuted in the present complaint. He submits that due to wrong date given by the counsel of the petitioners, the petitioners could not appear before the trial Court and their bail was cancelled and they were ordered to be summoned through non-bailable of warrants vide order dated 05.02.2025. He submits that the absence of the petitioners was totally unintentional and beyond their control. He further submits that the petitioners are ready to appear before the trial Court and abide by all the terms and conditions, if any imposed by this Court.

3. Notice of motion.

4. Mr. J.S. Arora, DAG, Punjab accepts notice on behalf of the



State and has opposed the submissions made by counsel for the petitioners. He has submitted that learned trial Court has rightly cancelled the bail of the petitioners, as they intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioners on 05.02.2025, their bail was cancelled and bail bonds/surety bonds were forfeited to the State and they were ordered to be summoned through non-bailable warrants. The reason for non-appearance before the Court on the date fixed, as given by the petitioners is, wrong date given by their counsel. The Court without going into the authenticity of the ground taken for the absence of the petitioners, deems it appropriate to direct the petitioners to appear the Court concerned to face the trial in the present case. In these circumstances, when the petitioners are ready to join the trial and face the proceedings, the order dated 05.02.2025 is set aside subject to payment of Rs.20,000/- (Rs.5,000/- each of the petitioners) as costs to be paid to **Day Care Centre for Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh** by the petitioners within period of seven days from today.

6. The petitioners are directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of abovesaid costs and the trial Court would grant them bail till the disposal of the case on their furnishing fresh bail/surety bonds to its satisfaction. The petitioners will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the petitioners while admitting them to bail.

7. Needless to say that in case the petitioners fail to comply with the abovesaid direction, this order would be of no avail to them and the order dated 05.02.2025 will come in force and the present petition shall be deemed to have been dismissed.
8. Petition stands disposed of in abovesaid terms.

01.07.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No