



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

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CRM-M-39412-2025

Date of decision: 24.07.2025

SUKHJINDER SINGH ALIAS HARJINDER SINGH**...Petitioner****VERSUS****STATE OF PUNJAB****...Respondent****CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

The present petition has been filed under Section 528 BNSS seeking quashing of order dated 16.01.2025 (Annexure P-5) whereby the bail bonds and surety bonds of the petitioner were cancelled and forfeited to the State and non-bailable warrants of arrest have been issued due to non-appearance in case No. SC/378/2019 titled as “State of Punjab Vs. Hardip Singh etc” in FIR No.115 dated 05.07.2018 under Sections 395, 34 of IPC (Section 411 of IPC added later on), registered at Police Station Jandiala, District Amritsar.

Learned counsel for the petitioner submits that the petitioner was regularly appearing before the trial Court but he could not appear on 16.01.2025 and even failed to intimate his counsel as his father is suffering from cancer and the trial Court had issued non-bailable warrants of arrest of



the petitioner and bail bonds and surety bonds were cancelled and forfeited to the State. 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. J.S. 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.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, impugned order dated 16.01.2025 is set aside and 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.

The aforesaid order/concession to the petitioner shall be subject to payment of Rs.15,000/- as compensatory penalty to be deposited with the Chandi Kusht Ashram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank,



Sector 46-C Chandigarh 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 in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but compensatory penalty for stalling the court proceedings by evading himself from trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

24.07.2025

Nisha Yadav

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>