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

**CRM-M-39721-2025 (O&M)
Date of Decision : 25.07.2025**

Sukhwinder Singh @ Sanju

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Raghav Soni, Advocate for the petitioner.

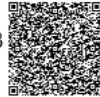
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SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS for quashing of order dated 16.04.2025 (Annexure P-3), passed by Addl. Sessions Judge, Amritsar vide which the bail of the petitioner has been wrongly cancelled and bail/surety bonds were forfeited to the State and non-bailable warrants were issued against him due to his non-appearance.

Learned counsel for the petitioner submits that it is only on one occasion i.e. on 16.04.2025, 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 absence of the petitioner on the said date is stated to be on account of miscommunication between him and his counsel as he had wrongly noted the date. Due to his absence on 16.04.2025, his bail stands cancelled and bail/surety bonds were forfeited to the State and he was summoned through non-bailable warrants for 02.07.2025.

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

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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.

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 penalty of Rs.15,000/- with the Punjab and Haryana High Court Bar Lawyers Family Welfare Fund bearing Account No.41564846387 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.

July 25, 2025
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No