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

**CRM-M No.39572 of 2025
Date of decision : 30.07.2025**

Bikramjit Singh @ Bikarjit

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. Manu Sachdeva, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 21.10.2024 passed by the learned Judge, Special Court, Sangrur (Annexure P-3) in case bearing CIS No.ELC/17/2020 titled 'State of Punjab vs. Bikramjit Singh' arising out of FIR No.728, dated 24.08.2015, under Section 135 of Electricity Act, registered at Police Station Anti Power Theft, District Patiala, whereby bail order along with bail bonds and surety bonds issued in favour of the petitioner were cancelled and forfeited to State and further nonailable warrants were issued against the petitioner without any adequate reasons. Further prayer has been made for staying the operation of impugned order.

2. Precise submission made by learned counsel for the petitioner



is that the petitioner was prosecuted in a case bearing FIR No.728, dated 24.08.2015, under Section 135 of Electricity Act, registered at Police Station Anti Power Theft, District Patiala. He has submitted that after registration of the FIR, the petitioner was granted the concession of bail by the learned trial Court vide order dated 11.05.2017. He has submitted that thereafter the petitioner was regularly appearing before the learned trial Court. He has submitted that on 18.07.2024, during the course of proceedings, the case was adjourned to 21.10.2024, however, due to miscommunication the petitioner has noted the wrong date, i.e. 21.11.2024 instead of 21.10.2024 and thus, on the date fixed, i.e. 21.10.2024, the petitioner remained absent. He has submitted that due to non-appearance of the petitioner before the learned trial Court on the date fixed, i.e. 21.10.2024, his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. He has submitted that nonailable warrants of arrest were also issued against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional. He has further submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

4. On the asking of the Court, Mr. J. S. Arora, DAG, Punjab appears and accepts notice on behalf of the respondent-State. He, on the other hand, has contended that bail order of the petitioner was rightly cancelled by the learned trial Court and non-ailable warrants of arrest were issued against him, as he failed to appear in the Court despite orders.



5. I have heard counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted in case bearing FIR No.728, dated 24.08.2015, under Section 135 of Electricity Act, registered at Police Station Anti Power Theft, District Patiala, in which bail order was cancelled and bail bonds/surety bonds were forfeited to the State. Nonailable warrants of arrest were also issued against the petitioner due to his non appearance before the learned trial Court. The reason given by the petitioner for his absence is that inadvertently he has noted the wrong date, i.e. 21.11.2024 instead of 21.10.2024. However, due to his non appearance, bail order of the petitioner was cancelled, bail/surety bonds were forfeited to the State and non-ailable warrants of arrest were also issued against the petitioner. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 21.10.2024 is hereby *set aside* subject to payment of costs of Rs.5000/- to be deposited with the Spinal Rehab Centre, Sector 28-A, Madhya Marg, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply

with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 21.10.2024 would come in force and the present petition would be deemed to have been dismissed.

30.07.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE