



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

129

CRM-M-65137-2024 (O&M)  
DATE OF DECISION: 07.01.2025

ANKIT

...PETITIONER

Versus

STATE OF U.T. CHD

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amit Bhanot, Advocate for the petitioner(s).  
Ms. Vasundhara Dalal Anand, Addl. PP, UT Chandigarh.

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SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for quashing of order dated 1-08-2024 Annexure- P-2 in FIR No. 132 dated 28.8.2021 under section 473 IPC, P.S. Industrial Area, Chandigarh, Annxure-P-1.

Learned counsel for the petitioner submits the petitioner was appearing regularly before the Trial Court but due to a miscommunication regarding the date, the petitioner could not appear in Court on one date i.e. 01.08.2024, therefore, the impugned order dated 01.08.2024 was passed by the Trial Court. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings, otherwise he was appearing regularly on each and every date before the Court. 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, learned Counsel for UT

Chandigarh accepts notice on behalf of the respondent, 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, 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 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 costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, 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 instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)  
JUDGE

07.01.2025  
anuradha

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |