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

**CRM-M No.30899 of 2026
Date of decision: 27.05.2026**

Jashan Kumar

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Varun Sharma, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned orders dated 20.02.2026 & 06.05.2026 (Annexures P-2 & P-3) in case bearing SC-303-2022 titled as State of Punjab vs. Jashan Kumar against the petitioner arising out of FIR No.47, dated 10.03.2018, under Section 306 of IPC, registered at Police Station Tanda, District Hoshiarpur.

2. Learned counsel for the petitioner has submitted that the petitioner was falsely prosecuted in a case bearing FIR No.47, dated 10.03.2018, under Section 306 of IPC, registered at Police Station Tanda, District Hoshiarpur. He has submitted that after registration of the FIR, the petitioner was granted the concession of anticipatory bail by this Court vide order dated 29.10.2021 passed in CRM-M-32375-2021. He has



submitted that after granting the concession of anticipatory bail, the petitioner was regularly appearing before the learned trial Court, however, due to Covid-19 Pandemic, the petitioner could not appear before the learned trial Court and he was declared as proclaimed offender. He has submitted that the petitioner was granted bail by the learned trial Court vide order dated 09.05.2024 and thereafter, he was again regularly appearing before the learned trial Court. He has submitted that due to the miscommunication with the counsel, the petitioner could not appear before the learned trial Court on the date fixed, i.e. 20.02.2026. He has further submitted that due to non-appearance of the petitioner before the learned trial Court on 20.02.2026, his bail order was cancelled and bail bonds & surety bonds were forfeited to the State. He has further submitted that nonailable warrants of arrest were also issued against the petitioner. He has submitted that thereafter, the petitioner approached before the learned trial Court praying for the grant of anticipatory bail, however, the same was dismissed vide order dated 09.04.2026. He has further submitted that the learned trial Court vide order dated 06.05.2026 had issued proclamation under Section 82 Cr.P.C. 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. K. D. Sachdeva, 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 bailable warrants of arrest were issued against him, as he failed to appear in the Court without any valid reason despite orders.

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

6. It is apparent that the petitioner was prosecuted in a case bearing FIR No.47, dated 10.03.2018, under Section 306 of IPC, registered at Police Station Tanda, District Hoshiarpur, in which, he was already granted the concession of anticipatory bail by this Court vide order dated 29.10.2021 passed in CRM-M-32375-2021. Due to non-appearance of the petitioner before the learned trial Court, his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. Non bailable warrants of arrests and proclamation under Section 82 of Cr.P.C. were also issued against the petitioner. The reason given by the petitioner for his absence is that there was some miscommunication with his counsel. 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 orders dated 20.02.2026 and 06.05.2026 are hereby *set aside* subject to payment of costs of Rs.10,000/- to be deposited with **the Spinal Rehab Centre, Sector 28-A, Madhya Marg, Chandigarh** by the petitioner within a period of 07 days from the date of receipt of certified copy of this order. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from the date of certified copy of this order 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 the date of receipt of certified copy of this order.

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 orders under challenge dated 20.02.2026 and 06.05.2026 would come in force and the present petition would be deemed to have been dismissed.

27.05.2026

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

(RAJESH BHARDWAJ)
JUDGE