



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

(126)

**CRM-M-48986-2025
Date of Decision: 03.9.2025**

Forndeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pardeep Kumar, Advocate
for the petitioner.

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the impugned order dated 12.12.2024 (Annexure P-4), passed by learned Additional Sessions Judge, Fast Track Special Court, Mansa, whereby regular bail granted to the petitioner vide order dated 18.10.2024 (Annexure P-2) has been cancelled and non bailable warrants were issued against him, in case FIR No. 104 dated 06.5.2024, under Sections 363 and 366-A IPC, registered at Police Station Sadar Mansa, District Mansa.
2. It has been brought to the notice of the Court that the order whereby regular bail of the petitioner was cancelled and non-bailable warrants of arrest were issued upon him, is dated 24.2.2025, instead of dated 12.12.2024, as has been erroneously mentioned in the instant petition as well as in its head note and prayer clause.
3. On the oral request of the learned counsel for the petitioner, the instant petition is amended to the extent that the impugned order be read as dated 24.2.2025 instead of dated 12.12.2024 .



4. Registry is directed to carry out necessary corrections accordingly.

5. Learned counsel for the petitioner submits that vide order dated 18.10.2024 (Annexure P-2), the petitioner was granted the concession of regular bail by the learned Additional Sessions Judge, Mansa. However, due to some miscommunication and unavoidable circumstances, the petitioner could not appear before the learned trial Court on the date fixed and vide impugned order dated 24.2.2025, bail granted to the petitioner was ordered to be cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State. Further, non-bailable warrants of arrest was also issued against the petitioner. It is further submitted that the absence of the petitioner was neither intentional nor deliberate, and that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions as may be imposed upon him by the trial Court. Learned counsel also submits that vide order dated 18.8.2025 passed by this Court in CRWP-8823-2025, protection have been granted to the petitioner and the prosecutrix.

3. Notice of motion.

4. Ms. Guramrit Kaur, DAG, Punjab, accepts notice on behalf of respondent-State.

5. Heard.

6. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure, 1973 is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the petitioner/accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.



7. In view of the above, the present petition is allowed. Order dated 24.2.2025 along with proceedings emanating therefrom are hereby set aside subject to payment of cost of Rs. 5,000/- by the petitioner to be deposited with the ***Punjab State Legal Services Authority-Disaster Relief Fund, Account No. 44426937384, IFSC Code SBIN0014656, State Bank of India, Sector-68, SAS Nagar***, within 10 days from today. The petitioner after depositing the cost as stated above would appear before the trial Court within a subsequent period of 15 days and file appropriate application for bail along with receipt of payment of cost. The trial Court would release the petitioner on bail on the same bail bonds and surety bonds. No coercive action would be taken against the petitioner till then. In case, the petitioner fails to comply with the aforesaid direction within stipulated period then this order would be of no avail to the petitioner.

8. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

September 03, 2025
Gurpreet Singh

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