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

**CRM-M-14580-2025
DECIDED ON: 18.03.2025**

KARAMDEEP SINGH @ KAMMA

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Jasmeet Singh Ghuman, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 seeking quashing of the impugned order dated 04.06.2024 passed by the Ld. Additional Sessions Judge-II, Jalandhar (Annex. P-3) whereby the petitioner has been marked absent & his bail has been cancelled in case FIR No.241 dated 17.09.2017 U/s 392, 395, 379-B IPC & Sections 25 of the Arms Act, Section 482, 401 IPC added later on & Sections 15, 18, 21, 22 NDPS Act 1985 deleted later on at PS Shahkot District Jalandhar Rural (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner was unable to appear before the trial court on 04.06.2024 due to a miscommunication between him and his counsel representing him before the trial court. As a result of the petitioner's absence on 04.06.2024, his bail was cancelled, and non-bailable warrants were issued for his appearance. He therefore, asserts that

his absence before the trial Court is neither intentional, nor deliberate, but due to circumstances which were beyond his control.

Learned counsel for the petitioner having instructions would submit before this Court that the petitioner is ready and willing to join the trial proceedings and will surrender before the trial Court.

In the light of above, the order dated 04.06.2024 (Annexure P-3) is hereby quashed subject to the undertaking given on behalf of the petitioner.

This Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed unnecessarily.

As a penalty for causing delay in the judicial process, the petitioner is penalized with a penalty of Rs.10,000/-, which shall be paid to the Punjab & Haryana High Court Employees Welfare Association, Chandigarh, a receipt of which shall be produced before the trial Court at the time of surrender.

The petitioner shall surrender before the trial Court within a period ten days from today and in case he moves an application seeking regular bail, the same be considered by the Court below preferably on that very day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

18.03.2025

Meenu

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*