

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

2025.PHHC:048323



CRM-M-19462-2025

Date of Decision:08.04.2025

**HARBHAJAN SINGH @ LADDI @ LALI
Vs.**

...Petitioner

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

The jurisdiction of this Court has been invoked under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing the orders dated 03.02.2025 and 24.03.2025, Annexures P-5 and P-6, respectively, passed by JMIC Phul Bathinda, whereby non-bailable warrants of arrest have been issued in FIR No. 182 dated 28.08.2023 under Sections 307, 458, 323, 324, 379-B, 506, 120-B, 148, 149, 427 IPC (later on added Section 326, 457, 459, 380 IPC and 458, 323 and 379-B IPC deleted) registered at Police Station city Rampura, District Bathinda, Punjab.

Learned counsel for the petitioner submits that the petitioner has never been served with any summons nor any notice or intimation to join the investigation has been given to him. Learned counsel for the petitioner submits that the petitioner did not had any intention to avoid attendance in the Court proceedings and undertakes that the petitioner will surrender before the trial Court and shall join the proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, Mr. Jaspal Singh Guru, AAG Punjab accepts notice on behalf of the respondent-State, 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 for the petitioner 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 Illaqa/Duty Magistrate today on or before 5.00 pm 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/State 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 High Court Lawyers Welfare Fund (Account No.65018692589, IFSC Code: SBIN0050306) and a receipt of the same be produced before the Illaqa/Duty Magistrate 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 amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the Court proceedings by evading himself from the trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

08.04.2025

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