

2025:PHHC:016559



123.

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

CRM-M-6282-2025

Date of decision: 04.02.2025

Kulwinder Singh @ Kinder and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Khushika Setia, Advocate for
Mr. Simranjeet Singh Sarwara, Advocate, for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners, under Section 528 of BNSS, 2023, are seeking quashing of impugned order dated 14.11.2024 (Annexure P-3) passed by learned Additional Sessions Judge, SAS Nagar, Mohali, vide which, the bail of the petitioners was cancelled and their bail bonds and surety bonds were forfeited to the State and non-bailable warrant of arrest were issued against them in case FIR No.52, dated 06.04.2015, under Sections 392, 397, 347, 379-B, 201, 363, 365 of IPC and Section 25/54/59 of Arms Act, registered at Police Station Mataur, District SAS Nagar, Mohali.

2. Learned counsel for the petitioners submits that it is on account of noting wrong date, the impugned order has been passed. Non-appearance of the petitioners is neither deliberate nor intentional. Learned counsel further submits that the petitioners are ready and willing to appear and surrender before the Trial Court. Hence, in the aforementioned facts

and circumstances, the petitioners be protected till their appearance before the Trial Court and directions be given to the Trial Court that their bail application, which they would be filing on their surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Senior DAG, Punjab accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioners, the instant petition is disposed of with the following directions:

The petitioners are to appear and surrender before the trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioners. This is contingent upon the petitioners paying a cost of Rs.10,000/- to be deposited with the Poor Patients Welfare Fund, PGIMER, Chandigarh.

6. It is made clear that in case, the petitioners fail to surrender before the Trial Court within 07 days from today, this order shall be of no avail to them thereafter. In case, on appearance and surrender, the petitioners move application for bail, the Trial Court shall make earnest efforts to decide the same expeditiously, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

February 04, 2025
sanjeev

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