

2025:PHHC:100117



S. No.112

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

CRM-M-41716 of 2025

Date of Decision:05.08.2025

Lacha Singh @ Lachhman Singh and anotherPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Tanvir Joshi, Advocate for the petitioners.

Yashvir Singh Rathor, J. (Oral)

Petitioners are seeking quashing of the order dated 04.10.2024 (Annexure P.3) passed by the learned Additional District and Sessions Judge, Sri Muktsar Sahib in Sessions Case No.118/2022 dated 03.08.2022 titled as Kamaljit Singh @ Kawanjit Singh Vs. Shamsher Singh etc., registered under Sections 307, 326, 323, 506 and 34 IPC vide which their bail was cancelled and bonds were forfeited on account of their absence on the date fixed.

2. Notice of motion.

3. Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab, accepts notice on behalf of the respondent- State. Mr. Rajbinder Singh Sidhu, Advocate, has appeared for the complainant and filed his Power of Attorney. The same is taken on record.

4. Learned counsel for both the parties submit that the matter has been compromised between the parties and learned counsel for the complainant submits that he has no objection in case petitioners are released on bail in the event of their appearance before the learned trial Court.



5. Even otherwise, a perusal of the order dated 04.10.2024 shows that the bail of accused was cancelled on account of their non-appearance but since the year 2022, the petitioners had been regularly appearing before the trial Court and had not misused the concession of bail. In these circumstances, learned trial Court should not have adopted the coercive method of cancelling the bail and rather should have secured their presence by issuing notice or bailable warrants. Straightway cancelling the bail without recording reasons that accused have intentionally absented, certainly affects the personal liberty of an individual and accordingly the order dated 04.10.2024 is hereby set aside.

6. Resultantly, petitioners are directed to surrender before the learned trial Court within 15 days from today. On their such appearance, trial Court shall admit them to bail to its own satisfaction. If, in the meantime, petitioners are sought to be arrested pursuant to the non bailable warrants issued against them, they shall be admitted to bail to the satisfaction of the Arresting Officer.

Petition stands disposed off.

Pending application(s), if any, shall also stand disposed of.

(Yashvir Singh Rathor)
Judge

August 05, 2025

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No