



CRM-M-13543-2025

In the High Court of Punjab and Haryana at Chandigarh

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Date of Decision: 11.03.2025

GANGA RAM

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Shiv K. Sharma, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 528 BNSS for quashing and setting aside of order dated 11.02.2025 (Annexure P-2) passed by the learned Additional Sessions Judge, Sangrur whereby ordering the cancellation of the bail bond and forfeiture of surety bond to the State, nonailable warrants have been issued against the petitioner in criminal Appeal CRA/47/2023 titled as Ganga Ram Vs. The Lehragaga primary Co-operative Agriculture Development Bank Ltd arising out of NACT/236/2017 under Section 138 of Negotiable Instruments Act dated 02.11.2017.

2. Learned counsel for the petitioner submits that the petitioner could not appear before the learned the Appellate Court on 11.02.2025 due to miscommunication between the petitioner and his counsel. As such the learned Appellate Court cancelled the bail orders of the petitioner and his bail bonds and surety bonds were ordered to be forfeited. Non-ailable warrants of arrest

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against the petitioner have been issued. He further contended that the petitioner may be permitted to surrender before the learned trial Court to attend the trial proceedings regularly and, therefore, requests that the impugned order may be set aside.

3. Notice of motion.

4. On the asking of the Court, Mr. Amandeep Singh Samra, AAG, Punjab accepts notice on behalf of the respondent-State. He states that he has no objection in case the impugned order is set aside.

5. I have heard learned counsel for the parties and gone through the case file.

6. In view of the limited prayer made by the learned counsel for the petitioner, this Court deems it appropriate to decide this case without issuing notice to respondent No.2. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, the order dated 11.02.2025 (Annexure P-2) passed by the learned Additional Sessions Judge, Sangrur is ordered to be set aside. The petitioner is directed to surrender before the Court below within 07 days from the date of receipt of certified copy of this order subject to payment of Rs.15,000/- as costs to be paid to the complainant and move an application for grant of regular bail, which shall be considered and disposed of by the Court below on the same very day.

7. The petition stands allowed.

11.03.2025

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(H.S.GREWAL)
JUDGE

Whether speaking/ reasoned :

Yes/No

Whether Reportable :

Yes/No