



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

CRM-M-38148-2025

Date of Decision:21.07.2025

Jagdev Singh @ Bhola

...Petitioner

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Ketan Chopra, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to quash the order dated 28.01.2025 (Annexure P-4), passed by the Judge, Special Court, Ludhiana, whereby the bail of the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest. A further prayer has been made with a prayer to quash the orders dated 06.03.2025 (Annexure P-5) and 08.07.2025.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered against the petitioner on 20.04.2022 and the petitioner was ordered to be released on bail, vide order dated 27.05.2022 (Annexure P-2). Thereafter, the petitioner was regularly appearing before the trial Court. On 28.01.2025, the petitioner was present in the Court campus, but due to communication gap between the petitioner and his counsel, he could not appear before the Trial Court to join the trial proceedings. Learned counsel for

the petitioner next contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. On the asking of the Court, Mr. M.S. Bajwa, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the Trial Court and there is no illegality in the impugned order passed by the Court below and the petitioner does not deserve the concession of bail.

6. I have heard learned counsel for the parties and perused the record.

7. It is not in dispute that that the petitioner was on bail earlier and was regularly appearing before the Trial Court, however, due to communication gap between him and his counsel, he could not appear before the Trial Court. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today and on his surrender, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

8. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.

9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

10. The petition stands allowed in the above terms.

21.07.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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