

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

CRM-M-1610 of 2022

Date of Decision: 18.01.2022

Gian Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Amit Arora, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

By means of filing this petition, the petitioner has assailed order dated 22.03.2021 passed by the learned Judge, Special Court, Tarn Taran, cancelling his bail bonds.

The petitioner is an accused in case FIR No.196 dated 21.12.2019 under Sections 21, 29 of NDPS Act registered at P.S Sirhali, District Tarn Taran.

As per allegations, the petitioner was found in possession of 155 grams of Heroin, which is non-commercial quantity. After his arrest, he was released on bail vide order dated 28.04.2020 passed by the learned Addl. Sessions Judge, Tarn Taran. On completion of investigation, challan was presented on 27.06.2020. The petitioner appeared before the Court and that charges were framed on 01.02.2021. Thereafter, the case was adjourned from time to time. On account of non-appearance of the petitioner on 22.03.2021, his bail bonds were ordered to be cancelled and his presence was directed to be secured through non-bailable warrants.

Learned counsel for the petitioner states that his non-appearance was not intentional. In fact, the petitioner had been regularly appearing before the trial Court. He had noted a wrong date because of which he could not cause his appearance on the date fixed. He undertakes that the petitioner shall appear before the learned trial Court on the date fixed or any date to be fixed by this Court.

Notice of motion.

Mr. V.G. Jauhar, DAG, Punjab, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 15.02.2022. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

This shall, however, subject to the petitioner depositing a sum of Rs.10000/- with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh.

January 18, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No