

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25141-2022

Date of decision : 2.6.2022

Gobinda Singh

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. G.S. Bhatia, Advocate
for petitioner.
Mr. R.S. Khaira, AAG Punjab.
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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 482 Cr.P.C. for quashing of order dated 17.12.2021 (Annexure P-5) passed by learned Additional Sessions Judge, Amritsar whereby his bail order was cancelled and non bailable warrants of arrest have been issued against him.

The petitioner is an accused in case FIR No. 60 dated 9.4.2019 registered under Section 21 of NDPS Act at Police Station Gharinda, District Amritsar Rural for having been found in conscious possession of 5 grams of heroine. The petitioner was released on regular bail by learned Judge, Special Court, Amritsar, vide order dated 30.4.2019. Thereafter, petitioner regularly appeared before trial Court. On account of CORONA 2019, the petitioner did not appear before the Court as the case was adjourned automatically. On notice being issued for appearance, the petitioner appeared before trial Court on 15.9.2021, but the cases was adjourned to 17.12.2021 as no PW was present. Thereafter, the petitioner could not appear before trial Court on 17.12.2021 as his counsel noted the wrong date. On the said date, his bail order was cancelled vide impugned order.

Learned counsel for petitioner states that it was never the intention of petitioner to evade the process of law. The petitioner is ready and willing to appear before trial Court to face the trial.

Accordingly, the petitioner may appear before trial Court on the date fixed i.e. 25.7.2022. On his appearance before trial Court, he shall be released on interim bail by trial Court to its satisfaction. He shall also furnish an undertaking that he would appear before the Court as and when directed.

It is made clear that if petitioner does not appear before trial Court on the date fixed i.e. 25.7.2022, this petition shall be deemed to be dismissed. Till then, execution of non bailable warrants of arrest shall remain stayed.

(HARINDER SINGH SIDHU)
JUDGE

2.6.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No