

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-44581-2022

Date of Decision: 27.09.2022

Gurjit Singh @ Gurjeet Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. BS Jaswal, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

The petitioner, *inter alia*, seeks quashing of the order dated 06.09.2022 (Annexure P2) whereby the trial court has cancelled the bail/surety bonds and forfeited to the State in FIR No.83 dated 06.11.2017 under Section 22 of the NDPS Act, registered at Police Station Mehta, District Amritsar (Annexure P1).

Counsel for the petitioner submits that it is only the instance when the petitioner could not appeared before the trial court on 06.09.2022 on account of having ill-health and even was not in a position to inform his advocate to move an appropriate application. As such his absence is not intentional and deliberate. However, non-bailable warrant has been issued and the trial court has cancelled his bail/surety bonds and has ordered that the same be forfeited by the State. Now the case is fixed for 05.12.2022 before the trial court.

Looking at the totality of the facts and that it was only one instance when the petitioner remained absent and also in view of the fact that bail was granted to the petitioner on 28.11.2017, the ends of justice would be met if the petitioner surrenders before the court below and moves an application to seek bail which shall be considered sympathetically and decided on the same date, in accordance with law.

Disposed of accordingly.

27.09.2022

V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No