

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

**CRM-M-49597-2022**

Date of decision: 27.10.2022

Satveer Singh @ Satwir Singh

.....Petitioner

versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

**Present:** Mr. Jaideep Verma, Advocate  
for the petitioner.

**NAMIT KUMAR, J.**

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of impugned orders dated 02.06.2022 and 30.08.2022 (Annexures P-2 & P-3) passed by the Ld. Special Court, Ludhiana, whereby, while cancelling his bail, the bail bonds and surety bonds were also ordered to be forfeited and he had been summoned through warrants of arrest and notice to his surety was issued for 30.08.2022. On 30.08.2022, since the warrants of arrest and notice to surety have not been received back, the matter was adjourned to 30.01.2023. The impugned orders arises from trial proceedings of case bearing FIR No.32 dated 20.02.2020 filed under Sections 18/21/29 & 59(2) of the Narcotic Drugs Psychotropic Substances Act, 1985, registered at Police Station STF, S.A.S. Nagar, Mohali, Punjab.

Learned counsel for the petitioner contends that the petitioner was granted regular bail on 27.04.2020 and thereafter, he kept on appearing before the trial Court regularly, however, on 02.06.2022, the petitioner was absent as the next date of hearing was conveyed to the petitioner as 02.09.2022 by the Clerk of counsel instead of 02.06.2022. He submits that the petitioner is ready and willing to join the trial proceedings and undertakes to be present in Court on each and every date, regularly.

Notice of motion.

At this stage, Mr. Adhiraj Singh, AAG, Punjab accepts notice on behalf of the respondent-State and submits that the impugned orders have been passed on the sole ground of the absence of the petitioner, however, it is not disputed by him that petitioner was already on bail and had been appearing before the trial Court.

A perusal of the order dated 02.06.2022 (Annexure P-2) reflects that the trial Court proceeded to pass the extreme order of cancellation of bail for the solitary absence of petitioner. Many a times, the petitioner can be prevented by sufficient reasons to put an appearance before the Court on a given date and, therefore, it necessarily cannot be construed as a deliberate and willful absence. The explanation offered for non-appearance before the trial Court is justified and therefore, the same is accepted.

Considering the above sequence of events, the impugned orders dated 02.06.2022 and 30.08.2022 (Annexures P-2 & P-3) are set aside subject to appearance of the petitioner before the trial Court on or before 09.11.2022. On appearance, he shall be released on bail and would be allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the impugned orders dated 02.06.2022 and 30.08.2022 (Annexures P-2 & P-3), would remain intact.

The petition is disposed of in above terms.

27.10.2022  
*ps-I*

(NAMIT KUMAR)  
JUDGE

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