

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

**CRM-M No.54141 of 2021
Date of Decision: 13.01.2022**

Rajinder Singh

.....Petitioner.

Versus

State of Punjab

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner has invoked the jurisdiction of this Court under Section 482 Cr.PC by filing the instant petition with a prayer to set aside the order dated 14.12.2021 (Annexure P-6) as passed by learned Special Judge, Moga, in the criminal case pertaining to the FIR bearing No.170 dated 08.10.2017 registered at Police Station Nihal Singh Wala, District Moga, under Section 22 of the NDPS Act, whereby the warrant of arrest has been issued against him.

I have heard learned counsel for the petitioner in this petition at the preliminary stage and have also perused the file.

A perusal of the impugned order (Annexure P-6) reveals that the petitioner had failed to appear before the trial Court on 14.12.2021 and

therefore, his bail was cancelled and the bail bonds were ordered to be forfeited to the State and the warrant of arrest against him and notice to his surety had also been ordered to be issued for 10.02.2022. The sole ground as put-forth by the petitioner to assail the said order is that on 02.11.2021, i.e the previous date of hearing, the clerk of his counsel had wrongly informed him about the next date of hearing having been fixed as 16.12.2021 and due to this *bonafide* misunderstanding, he could not appear in the Court on the date as actually fixed for hearing, i.e 14.12.2021.

Be that as it may, the fact remains that the petitioner himself having appeared in the Court on the previous date of hearing, i.e 02.11.2021, is supposed to have due intimation regarding the date fixed by the Court for the next hearing in his case, i.e 14.12.2021. It being so, the explanation put forth by him does not suffice at all to plausibly explain his absence from the Court on 14.12.2021. Thus, the petitioner has not been able to show that the impugned order is an abuse of the process of law or the quashing of the same is necessary to secure the ends of justice, so as to invoke the extra-ordinary jurisdiction of this Court as envisaged under the afore-said provisions.

Resultantly, the present petition is hereby dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

January 13, 2022
Yag Dutt

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*