

CRM-M-50064 of 2022

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

CRM-M-50064 of 2022
Date of decision: 31.10.2022

Amritpal @ Karan @ Topi

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Rahul Bhargava, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing order dated 15.07.2022 passed by the Judge, Special Court, Amritsar, whereby bail of the petitioner has been cancelled, after cancellation bail bonds and surety bonds have been forfeited to the State and non-bailable warrants have issued against him in case arising from FIR No.0069 dated 24.06.2021 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Mokhampura, Police Commissionerate, Amritsar.

Briefly stated, on 24.06.2021, recovery of 17 grams of heroin was effected from the conscious possession of the petitioner. Therefore, he was arrested. Petitioner was granted regular bail by the Judge, Special Court, Amritsar, vide order dated 16.08.2021. However, petitioner remained absent on 15.07.2022 without intimation to the Court, which resulted into cancellation of his bail and forfeiture of bail/surety bonds to

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the State. No cogent reason has been given by the petitioner for his absence.

Furthermore, this tendency to approach the High Court directly without going to the trial Court first is not proper. When an order of cancellation of bail bonds and surety bonds has been passed by the trial Court, a petition against the order under Section 482 Cr.P.C. is not maintainable and that the accused should first move the Court which has passed the impugned order.

In view of the above, I do not find any ground to quash the impugned order.

Dismissed.

October 31, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No