

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50831-2022 (O&M)
Date of decision: 15.12.2022

Kuljinder Singh @ Kinda

... Petitioner

Vs.

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kanwaljeet Singh, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 30.09.2022 passed by the Judge, Special Court, Ludhiana, in FIR No.55 dated 08.04.2020 under Section 21 of NDPS Act and Section 188 IPC, registered at Police Station Dakha, District Ludhiana Rural, vide which bail/surety bonds of the petitioner were cancelled and non-bailable warrants were issued.

While issuing notice of motion, following order was passed by this Court on 02.11.2022: -

“...As per submissions made in the petition, the petitioner was granted the concession of regular bail and he was regularly appearing before the trial Court, however, due to miscommunication of the date, he could not appear before the trial

Court on 30.09.2022, when the impugned order, forfeiting the bail/surety bonds of the petitioner, was passed.

It is further stated in the petition that the petitioner is ready to surrender before the trial Court and apply for fresh bail.

Notice of motion for 15.12.2022.

In the meantime, the petitioner is directed to surrender before the trial Court within a period of 15 days from today and on doing so, the trial Court will release him on interim bail, subject to his furnishing fresh bail/surety bonds to its satisfaction.

Till the time the petitioner surrenders before the trial Court, his arrest shall remain stayed.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has surrendered before the trial Court and he has been released on interim bail.

Learned State counsel has not disputed the aforesaid factual position.

In view of the above, this petition is allowed and the order dated 02.11.2022, granting interim bail to the petitioner, is made absolute and the impugned order dated 30.09.2022 passed by the trial Court is set aside.

[ARVIND SINGH SANGWAN]
JUDGE

15.12.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No