

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

CRM-M-60517-2022 (O&M)

Date of decision: 23.12.2022

Buta Singh and another

... Petitioners

Vs.

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Lakshay Bector, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for setting aside the order dated 09.11.2022 passed by the trial Court, vide which bail/surety bonds were cancelled and forfeited to the State, in FIR No.59 dated 31.03.2019 under Section 21 of NDPS Act, registered at Police Station City Jagraon, District Ludhiana.

Learned counsel for the petitioners submits that the petitioners were granted regular bail vide order dated 01.05.2019 and thereafter, they were regularly appearing before the trial Court, however, on 09.11.2022, the petitioners could not appear, as marriage of brother of petitioner No.1 and son of petitioner No.2 was fixed for that date and a request was made for

adjournment, however, the trial Court cancelled the bail/surety bonds. It is further submitted that the petitioners are ready to surrender before the trial Court and apply for fresh bail.

Notice of motion.

On asking of the Court, Mr. Navneet Singh, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the factual position.

After hearing learned counsel for the parties and considering the aforesaid factual position, this petition is allowed and the petitioners are directed to appear before the trial Court within a period of 20 days from today and they will be released on bail subject to their furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioners will deposit the costs of Rs.3,000/- with the District Legal Services Authority, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

23.12.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No