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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3835-2023

Date of decision : 24.01.2023

Gagandeep Singh @ Romi

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.

Petitioner has filed this petition under Section 482 Cr.P.C for quashing of the impugned order dated 07.07.2022 (Annexure P-8), whereby his bail order has been cancelled and his bail bonds have been forfeited to the State in case FIR No.157 dated 11.11.2019 registered under Section 21 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court as his counsel did not inform him regarding the date fixed i.e.14.03.2022, vide which the bailable warrants were issued for 07.07.2022 and the same happened because of miscommunication between the petitioner and his counsel, which resulted into impugned order dated 07.07.2022 (Annexure P-8).

On the other hand, learned State counsel submits that the petitioner was well aware about the pendency of criminal proceedings before

the trial Court as vide order dated 02.12.2019, he was released on regular bail and was regularly appearing before the trial Court, but now his plea for the absence is not tenable and he has a remedy of filing anticipatory bail or surrendering before the Court. He prays for dismissal of the petition.

I have heard learned counsel for the parties and have gone through the case file.

The explanation given by the learned counsel for the petitioner with regard to absence is not accepted. Moreover, the petitioner is having remedy in accordance with law as the non-bailable warrants have been issued against the petitioner and he has not been declared proclaimed offender till date.

Keeping in view the above facts, this Court is not inclined to exercise the power under Section 482 Cr.P.C for quashing of the impugned order dated 07.07.2022, which has rightly been passed by the Court below.

The petition is hereby dismissed.

(DEEPAK MANCHANDA)
JUDGE

24.01.2023

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No