

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

CRM-M-19450-2023

Date of Decision: April 20, 2023

BUNTY

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Prashant Vashisht, Advocate for petitioner.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 482 CrPC, prayer has been made for quashing of order dated 10.04.2023 whereby bail bonds of petitioner has been cancelled followed by forfeiting of surety bonds in case FIR No.170 dated 19.08.2018 registered under Section 22 of NDPS, Act, 1985 at P.S. Adampur, Jalandhar-rural, District Jalandhar.

2. Having been implicated in the aforementioned FIR, petitioner was granted concession of regular bail and has been thereafter appearing before trial Court but for 10.04.2023, resulting into cancellation of his bail bonds followed by forfeiture of surety bonds and issuance of non-bailable warrants against him.

3. Learned counsel for the petitioner submits that non-appearance of petitioner was on account of miscommunication with the Advocate, having noted incorrect date of hearing and was wholly unintentional.

4. Notice of motion.

5. Mr. Tarun Aggarwal, Sr. D.A.G. Punjab who is present in Court accepts notice on behalf of respondent-State, while opposing the petition, learned counsel for respondent submits that the only intention of the petitioner was to delay the proceedings before trial.

6. I have heard learned counsel for parties and gone through paper-book. I find substance in submissions made on behalf of petitioner.

7. I do not find any reasonable apprehension to disbelieve the stand taken by petitioner of his having noted incorrect date of hearing, considering the aforesaid, order dated 10.04.2023 passed by trial Court is ordered to be set aside with direction to petitioner to surrender before trial Court on or before next date of hearing and submit his fresh bail bonds/surety bonds which shall be accepted by trial court. The petitioner shall also submit an undertaking before the Court concerned that he shall continue to appear during trial unless granted exemption specifically.

9. However, the above order shall be subject to payment of cost of Rs.5,000/- to be deposited with the Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh within a period of one week from today.

20.04.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

