

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

122

CRM-M-21159-2023

Decided on : April 27, 2023

SUDESH KUMAR @ SOKHU

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

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

NAMIT KUMAR, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. seeking quashing of order dated 21.12.2022 (Annexure P-2) passed by the court of learned Additional Session Judge, Ludhiana, in case NDPS/843/2019 titled as “*State of Punjab versus Sudesh Kumar*” whereby bail bonds of the petitioner have been cancelled, forfeited and non-bailable warrants have been issued and order dated 13.03.2023 (Annexure P-3) whereby fresh non-bailable warrants have been issued against the petitioner for 29.05.2023. The impugned order arises from trial proceedings of case FIR No.310 dated 26.12.2018, registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Samrala, District Ludhiana.

Learned counsel for the petitioner submits that after the petitioner was admitted on regular bail, he was regularly appearing before the trial court, however, he failed to appear on 21.12.2022 as he had inadvertently noted a wrong date and resultantly the impugned order was passed. He, however, submits that his non-appearance is neither intentional nor deliberate. He further submits that the petitioner would surrender before the trial court on the next date of hearing.

Notice of motion.

Mr. Adhiraj Singh, AAG, Punjab appearing on advance notice accepts the same on behalf of the State of Punjab and opposes the prayer made in the petition. He submits that the petitioner was intentionally delaying the trial.

Without commenting on the explanation put forth, considering the facts and circumstances in totality and to ensure that there is no further delay in the trial, let the petitioner surrender before the trial court within two weeks and on his surrender, the petitioner shall be released on bail on the bonds already furnished. The trial court would be at liberty to impose further conditions if deemed necessary to ensure the presence of the petitioner during the trial.

The petition is disposed of.

April 27, 2023
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No