

114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:071209
CRM-M-25066-2023
Date of Decision: May 17, 2023

Naveen Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Kumar, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner was on bail, facing trial before learned Special Judge, Fatehabad in case FIR No.0442, dated 16.07.2017, registered at Police Station City Fatehabad, District Fatehabad, under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985. He absented from trial on 13.04.2023, due to which his bail was cancelled and warrants of arrest were directed to be issued for 06.07.2023, which brought him before this Court to quash the order dated 13.04.2023.

It is contended by learned counsel for the petitioner that petitioner noted the wrong date of hearing, due to which his bail has been cancelled.

Notice of motion.

Mr. Randhir Singh, Addl. A.G., Haryana accepts notice on behalf of the respondent-State.

Although there is no justification to quash the impugned order considering the fact that it was the petitioner's fault not to appear before the Court, so his bail was cancelled, but considering the fact that he had noted the wrong date and it was first default on his part, let petitioner surrender before the Trial Court on or before 06.07.2023, the date already fixed thereat. On his such surrender, Trial Court may initiate

proceedings under Section 446 Cr.P.C. and after disposal thereof, admit him to bail. If in the meantime, petitioner is sought to be arrested on account of warrants of arrest issued against him, he shall be admitted to interim bail to the satisfaction of arresting officer.

Disposed of.

May 17, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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