IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31004-2023
Date of Decision:20.09.2023

Ajaypal Singh and Anr. …Petitioners

vs.

State of Punjab …Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Balbir Singh Jaswal, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

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N.S.Shekhawat J. (Oral)

1. Affidavit of Deputy Superintendent of Police, PBI-NDPS-cum-Narcotics, Amritsar,Rural has been filed on behalf of respondent-State and the same is taken on record.

2. The instant petition has been filed under Section 482 Cr.PC with a prayer to quash the impugned order dated 08.05.2023, passed by the Trial Court (Annexure P-6), whereby the bail orders of the petitioners were ordered to be cancelled and the bail bonds and surety bonds of both the petitioners were ordered to be forfeited to the State by the Trial Court.

3. Learned counsel for the petitioners submit that petitioner No.1 was granted the concession of anticipatory bail by this Court, vide the order dated 08.11.2021, Annexure P-3, whereas petitioner No.2 was granted the concession of bail by the Court of Special Court, Amritsar, vide the order dated 28.10.2020, Annexure P-4. Learned counsel next contends that after grant of

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bail, both the petitioners were regularly appearing before the Trial Court. However, on 08.05.2023, they could not appear before the Trial Court due to some personal difficulty and the bail orders of the petitioners were ordered to be cancelled and the bailbonds and surety bonds of both the petitioners were ordered to be forfeited to the State. Learned counsel further submits that the both the petitioners are ready to surrender before the Trial Court within a period of 10 days from today and also furnish their surety bonds/bail bonds.

4. Learned State counsel has opposed the prayer made by learned counsel for the petitioners on the ground that the petitioners had not appeared before the Trial Court intentionally and do not deserve any concession by this Court.

5. I have heard the learned counsel for the parties and with their able assistance, I have gone through the record carefully.

6. It is apparent that the petitioners were regularly appearing before the Trial Court and only on one date, they could not appear before the Trial Court. Consequently, both the petitioners are ordered to appear before the Trial Court within a period of 10 days from today and on their surrender, they shall be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate.

7. The petition stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

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

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