

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42738-2023

Date of decision:-29.08.2023

Jorawar Singh alias Jora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Rahi Mehra, Advocate
for the petitioner.

SUVIR SEHGAL, J.(ORAL)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner has prayed for quashing of order dated 10.07.2023, Annexure P2, whereby bail order has been cancelled, bail and surety bonds have been forfeited and non-bailable warrants has been issued for his arrest.

2. Counsel for the petitioner submits that petitioner has been named as an accused in FIR No.201 dated 14.08.2019 lodged for offence under Sections 21 and 29 of NDPS Act at Police Station City, Tarn Taran, Annexure P1, on the allegations that recovery of 5 gram of heroin has been effected from him. Counsel asserts that after being apprehended, petitioner was released on regular bail by order dated 18.09.2019, Annexure P3. He further submits that the charge was framed on 05.02.2020 and the petitioner has been regularly appearing

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before the trial Court. He submits that due to default in appearance on a single occasion on account of wrong noting of the date, impugned order has been passed. He submits that the petitioner is prepared to surrender before the trial Court and join the proceedings.

3. Notice of motion.

4. On asking of the Court, Mr.Arun Luthra, DAG, Punjab, accepts notice on behalf of respondent – State. He has opposed the prayer made in the petition.

5. Having heard counsel for the parties, this Court is of the view that as it is the first default on part of the petitioner and as his offer to appear before the trial Court seems to be sincere, he deserves to be granted an opportunity.

6. Accordingly, petition is disposed of with a direction that in case the petitioner surrenders before the trial Court on 05.09.2023 or on any day within a fortnight from today and moves an appropriate application seeking withdrawal of non-bailable warrants, he shall be released on bail on his furnishing fresh bail/surety bonds to the satisfaction of the Court concerned. Trial Court shall be at liberty to impose any other condition it deems appropriate to obviate the possibility of any future default.

(SUVIR SEHGAL)
JUDGE

29.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No