

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

CRM-M No.50254 of 2023

Decided on:07.11.2023

Balwinder @ Guggi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ruby Kaur, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The petitioner has approached this Court praying for setting aside the order dated 10.03.2023 (Annexure P-2) passed by the learned Additional Sessions Judge, Fatehabad vide which bail of the petitioner has been cancelled and bail bonds have been forfeited.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner herein is facing trial in FIR No.297 dated 29.05.2022 registered under Section 21 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City, Fatehabad and was enlarged on bail. The petitioner was regularly appearing before the learned trial Court, however, on 10.03.2023, he could not appear before the learned trial Court as the counsel for the petitioner before the Court below inadvertently informed the date of hearing as 10.09.2023 instead of 10.03.2023. In the aforesaid eventuality, the learned trial Court vide impugned order dated 10.03.2023 has issued warrants of arrest against the petitioner. It is further contended that non-appearance of the petitioner before the learned trial Court is neither intentional nor willful and he undertakes to appear each and

every date of hearing. It is also contended that the petitioner has not been declared a proclaimed person/offender.

- 3. Notice of motion.
- 4. Mr. Gurmeet Singh, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.
- 5. The sole purpose of issuance of non-bailable warrants or issuance of proclamation is to secure presence of the accused before the trial Court. The petitioner in the present case had failed to put in appearance before the trial Court, as inadvertently he was noted down the wrong date by his counsel. However, he himself came forward and has undertaken to appear before the trial Court on each and every date.
- 6. In view of the aforesaid facts and circumstances, this Court deems it appropriate to direct the petitioner to appear before the Court below within 15 days and on his doing so, the Court concerned shall admit him to bail subject to furnishing bail bonds and surety bonds along with costs of ₹10,000/- for wasting precious time of the Court to be deposited with the District Legal Services Authority, Fatehabad.
- 7. The instant petition stands disposed of in above terms.

(HARPREET SINGH BRAR)
JUDGE

November 07, 2023
Pankaj*

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