

2023:PHHC:151608

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

122

CRM M-59880 of 2023

Date of Decision: 29.11.2023

Naman

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Fatehjeet Singh, Advocate for the petitioner.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition with a prayer to quash the order dated 19.09.2023 (Annexure P-4) passed by the Court of Additional Sessions Judge, Kapurthala, in case FIR No. 147 dated 13.08.2018 under Section 22 of the NDPS Act and all subsequent proceedings arising therefrom.

2. Learned counsel for the petitioner contends that the petitioner was granted the concession of regular bail by this Court vide order dated 04.07.2023 (Annexure P-2). After the presentation of the challan, the petitioner was appearing before the Court on each and every date of hearing. On 12.09.2023, the case was adjourned to 19.09.2023. However, the clerk of the learned counsel had wrongly noted the date of appearance as 21.09.2023 and the petitioner could not appear before the trial Court on 19.09.2023. Learned counsel

submits that his absence on 19.09.2023 before the trial Court was unintentional and due to the fact that the clerk of the learned counsel had wrongly noted the date of hearing. Learned counsel further contends that the petitioner is ready to surrender before the trial Court and join the trial proceedings.

3. Notice of motion.

4. Mr. Amish Sharma, AAG, Punjab accepts notice on behalf of respondent-State.

5. I have heard learned counsel for the parties and perused the record.

6. The petitioner is directed to surrender before the Special Court Kapurthala within a period of 10 days from today and on his appearance, he shall be admitted to bail on his furnishing bail bonds and surety bonds subject to the satisfaction of the concerned Court.

7. The petitioner shall appear before the trial Court on each and every date of hearing and shall not absent during the course of trial, without prior permission of the Court. In case, the petitioner absents on any date of hearing, without permission of the Court, it shall be viewed seriously and shall be a ground for cancellation of his bail.

8. Disposed off.

29.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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