

126 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-62397-2023

Date of Decision: 12.12.2023

Jaspreet Singh @ Tinku

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amit Arora, Advocate,
for the petitioner.

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing the order dated 06.10.2023 (Annexure P-3) passed by the court of learned Judge Special Court, Tarn Taran, whereby bail was cancelled, besides, forfeiture of bail/surety bonds, followed by issuance of non-bailable warrants against him.

2. Briefly stated, the petitioner was implicated in FIR No.171, dated 22.06.2018, registered under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Tarn Taran, District Tarn Taran, wherein he was granted the concession of regular bail vide order dated 06.08.2018 passed by learned Judge Special Court, Tarn Taran and since then, he has been regularly appearing before the Trial Court. But for 06.10.2023, the petitioner could not appear before the Trial Court, resulting into passing of order dated 06.10.2023. The said order has been impugned by way of present petition.

3. Learned counsel for the petitioner submits that the non-

appearance of the petitioner on 06.10.2023 before the Trial Court was totally unintentional and for *bona fide* reason i.e. on account of having noted down wrong date as 06.11.2023 instead of 06.10.2023.

4. Notice of motion.

5. Mr. Shubham Kaushik, AAG, Punjab, who is present in Court accepts notice on behalf of the respondent-State and opposes the prayer while submitting that the non-appearance of the petitioner before the Trial Court was just to cause delay in the disposal of trial.

6. I have heard learned counsel for the parties and gone through the paper book.

7. The non-appearance of the petitioner before the Trial Court on 06.10.2023 appears to be unintentional and for bonafide reason i.e. on account of having noted down wrong date.

8. In view of the above, the present petition is allowed. Order dated 06.10.2023 is set aside. Petitioner is directed to appear before the Trial Court within a period of 10 days from the date of receipt of certified copy of this order and furnish his fresh bail/surety bonds, which shall be accepted, subject to verification. The petitioner shall also file an affidavit that he will continue to appear before the Trial Court, unless granted exemption specifically and categorically.

12.12.2023
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned: yes/no
Whether reportable? yes/no