

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CRM-M-2624-2024
Date of decision: 19.01.2024

RAJWINDER SINGH @ RAVI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Saksham, Advocate
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

The instant petition has been filed, under Section 482 Cr.P.C, for quashing of the order dated 23.10.2023, passed by the learned Additional Sessions Judge, Ludhiana, whereby the bail bonds of the petitioner were cancelled and surety bonds were forfeited to the State, and non-bailable warrants have also been issued against him, in case FIR No.104 dated 15.06.2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances, 1985, registered at Police Station Sidhwan Bet, Ludhaina, District Ludhaina (Rural).

The learned counsel for the petitioner submits that the petitioner was granted the concession of regular bail by the learned trial Court concerned, vide order dated 20.11.2019, and thereupon, the petitioner was continuously appearing before the learned trial Court concerned. However, on 23.10.2023, the petitioner could not cause his appearance before the learned trial Court concerned, owing to some unavoidable circumstances. Consequently, the learned trial Court concerned, cancelled the bail bonds of the petitioner, and forfeited the surety bonds to the State. Thereafter, the learned trial Court concerned, initiated the proclamation proceedings against the present petitioner, which is pending for 31.01.2024, for appearance of the petitioner.

Though the learned counsel for the petitioner is unable to point out

any infirmity or illegality in the impugned order, however, learned counsel for the petitioner fairly submits that the petitioner is ready and willing to join the proceedings. Learned counsel for the petitioner further submits that the purpose behind initiation of proclamation proceedings is only to secure the presence of the petitioner/accused before the learned trial Court concerned.

Keeping in view the submissions made by the learned counsel for the petitioner, as well as the facts and circumstances as narrated in the present petition, the impugned order is hereby affirmed. However, as prayed for, the petitioner is directed to cause his appearance before the learned trial Court concerned, within 07 days from today. In case the petitioner appears before the learned trial Court concerned, within 07 days from today, and move a proper application for grant of regular bail before the learned trial Court concerned, the latter shall make every endeavor to decide the bail application, if any, moved, most expeditiously, preferably on the same day. The arrest of the petitioner shall remain stayed for 15 days.

It is made clear that in case the petitioner does not cause an appearance before the learned trial Court concerned, within 07 days, the interim protection granted by this Court shall be *ipso facto* vacated, without any further reference to this Court.

Disposed of accordingly.

19.01.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No