

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4080-2024
DECIDED ON: 25.01.2024

GURMUKH SINGH ALIAS GOPI
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for setting aside the order dated 18.09.2023 (Annexure P-3), passed by Additional Sessions Judge, Amritsar, whereby the bail of the petitioner stands canceled in FIR No.45, dated 30.08.2022, under Sections 21/27 of NDPS Act, 1985, registered at Police Station Mattewal, District Amritsar.

Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court on 10.07.2023 and an exemption application was filed on his behalf and the case was adjourned to 02.09.2023 and thereafter on that very day, again an exemption application was filed by the petitioner before the trial Court and the same was allowed and the case was adjourned to 18.09.2023 and on 18.09.2023, bail of the petitioner and his co-accused were canceled and bail/surety bonds were ordered to be forfeited to the State and further non-bailable warrants were issued against them for 18.12.2023. Since then, the petitioner could not appear before the trial Court under the fear of arrest.

Learned counsel for the petitioner undertakes that the petitioner will surrender before the trial Court within a period of 10 days from today.

Be that as it may, without going into the merits of the case if the petitioner is allowed to surrender before the trial Court it would only help in furtherance of justice and to bring the trial to a logical conclusion which is otherwise pending on account of his non-appearance, therefore, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and in case he moves an application seeking bail, the same shall be considered and decided on that very day in accordance with law.

The present petition stands disposed of in the aforesaid terms.

However, the aforesaid concession shall be subject to payment of costs of Rs.10,000/- to be deposited in the account of Punjab and Haryana High Court Bar Association, a receipt of which shall be produced at the time, when petitioner surrenders before the trial Court.

25.01.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>