

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

CRM-M-4332-2024

Date of decision: 29.01.2024

NAMDEV SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Vishal Mittal, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioners seek quashing of the impugned order dated 06.01.2024, which is enclosed as Annexure P-4, with the instant petition. Vide the impugned order (*supra*), the bail of the petitioner has been cancelled and his bonds have been forfeited to the State, besides this, his warrants of arrest have also been issued in case FIR No.81, dated 09.08.2022, under Sections 22(a) and 25 of the Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Jhunir, District Mansa.
2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court concerned was neither intentional nor wilful, as the petitioner had been regularly appearing in the trial court proceedings. The reason why the petitioner was absent before the learned trial court concerned, on the relevant date, was that, the petitioner inadvertently noted down the wrong date of hearing as 16.01.2024, instead of 06.01.2024, from the clerk of the counsel engaged before the learned trial Court concerned.

3. Though the learned counsel for the petitioner has herein, challenged the impugned order (*supra*), however, he could not cite any illegality or perversity. Therefore, he submits that the petitioner is ready and willing to join the trial court proceedings, in case he is granted an adequate protection.

4. Relying upon an order passed by the learned trial Court concerned, on dated 11.10.2022, whereby, the petitioner was granted the concession of regular bail, the learned counsel for the petitioner submits that the petitioner apprehends his arrest, in case he surrenders before the learned trial Court concerned.

5. Since the learned counsel for the petitioner is not assailing the validity of the impugned order (*supra*), therefore, the impugned order is upheld. However, in case, the petitioner surrenders before the learned trial Court concerned within 7 days from today, and thereupon, makes an application for grant of regular bail, the learned trial Court concerned shall make an endeavour to decide the said application on the same day itself. The arrest of the petitioner shall remain stayed for 7 days from today. However, in case, the petitioner fails to appear before the learned trial Court concerned within 7 days from today, the protection granted hereinabove *qua* his arrest shall stand automatically vacated.

6. Disposed of accordingly.

January 29, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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