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

CRM-M-6283-2024

Date of decision: 06.02.2024

Charanjit Singh @ Channa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. J.S. Guru, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking quashing of order dated 30.11.2023 Annexure P-6 whereby the bail/surety bonds of the petitioner were cancelled by the learned trial Court on account of his absence in the trial by the Court of Additional Sessions Judge/Special Judge, Jalandhar in case having FIR No.106 dated 22.05.2020 under Sections 15/61/85 of NDPS Act registered at Police Station Mehatpur, District Jalandhar.

2. Counsel for the petitioner submits that the petitioner was granted anticipatory bail by this Court vide order Annexure P-2 dated 05.10.2020 and thereafter, petitioner was regularly appearing before the trial Court as is clear from Annexures P-3, P-4 and P-5. That, however, due to some misunderstanding and miscommunication, the petitioner failed to

appear before the learned trial Court on 30.11.2023 and the trial Court in a hasty manner without taking into consideration the fact that this was the first default on the part of the petitioner, passed impugned order Annexure P-6. Counsel for the petitioner further submits that the absence of the petitioner was not intentional on that date and petitioner is ready to join the investigation before the learned trial Court.

3. Notice of motion.

4. Mr. J.S. Guru, AAG, Punjab accepts notice on behalf of State who on instructions from ASI Devender Singh submits that the petitioner jumped the bail on 30.11.2023 and the trial Court passed the impugned order Annexure P-6 and there is no illegality in the same. The State counsel also apprised the Court that till date, the petitioner has not declared proclaimed offender.

5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to appear before the trial Court within next 10 days and on his doing so, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.5,000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

6. Disposed of.

06.02.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No