

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

**CRM-M No. 6498 of 2024 (O&M)  
Date of Decision: 07.02.2024**

Naresh Kumar @ Honey @ Golu  
..... Petitioner  
  
**Versus**  
  
State of Punjab  
..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Harkirat Singh Bhogal, Advocate  
for the petitioner.  
  
Mr. Shubham Kaushik, Assistant Advocate General, Punjab.

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**HARKESH MANUJA, J. (ORAL)**

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the order dated 25.07.2023 (Annexure P-1) passed by the learned Special Court, SBS Nagar, in FIR No. 111 dated 29.07.2019, under Section 22 of NDPS Act, registered at Police Station City Nawanshahr, District SBS Nagar, whereby the bail of petitioner has been cancelled while forfeiting his bail / surety bonds due to non-appearance.

[2] In the present case having been implicated in FIR (supra), the petitioner was granted concession of regular bail and continued to appear before the Trial Court thereafter, but for 25.07.2023 when on account of noting down of wrong date as 25.08.2023, could not appear before the trial Court, resulted into cancellation of his bail.

[3] While impugning the aforesaid order dated 25.07.2023 (P-1), learned counsel for the petitioner submits that non-appearance of the petitioner was wholly unintentional as the petitioner never intended to evade

the process of law. It has been further submitted that since 25.07.2023 till today, the petitioner never indulged himself in any kind of criminal activity and he is ready to surrender before the Trial Court to join the proceedings.

[4] On the other hand, prayer has been opposed at the instance of learned State Counsel while submitting that the petitioner absented himself on 25.07.2023 whereas he has approached this Court only in the month of February, 2024 i.e. after a period of almost 06 months and in the meanwhile the Trial Court had initiated all necessary steps to secure presence of the petitioners, but to no effect as the petitioner was evading the process of law with deliberate intent.

[5] I have heard learned counsel for the parties and gone through the paper book.

[6] Considering the fact that the petitioner could not appear before the Trial Court on 25.07.2023 on account of noting down of wrong date of hearing by him which as per information provided to him was 25.08.2023; besides, nature of FIR registered against him and the fact that he never indulged himself in any kind of criminal activity post 25.07.2023 till date and also that he is ready to join the proceedings before the Trial Court, purely in the interest of justice, the order dated 25.07.2023 (P-1) passed by the learned Judge, Special Court, SBS Nagar is set aside. The petitioner is directed to appear before the Trial Court concerned within a period of 07 (seven) days from today and furnish his fresh bail bonds / surety bonds to its satisfaction and till then, no coercive steps shall be taken against him.

[7] **Disposed off** accordingly.

[8] This order, however, shall be subject to payment of cost(s) of Rs.5,000/- to be deposited by the petitioner with the District Legal Services Authority, SBS Nagar, within a period of one week from the date of receipt of certified copy of this order.

**February 07, 2024**

*'dk kamra'*

**( HARKESH MANUJA )  
JUDGE**

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|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |