



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

317

CRM-M-7233-2024 (O&M)
Date of Decision:- 23.05.2024

DILPREET SINGH ALAIS RAJAN

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Arora, Advocate for the petitioner.

Mr. Japjot Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

1. The present petition under Section 482 CrPC has been preferred by the petitioner for quashing of the impugned order dated 06.12.2023 (Annexure P-3) passed by learned Judge, Special Court, Tarn Taran, whereby the bail order of the petitioner was cancelled and his bail bonds/surety bonds were forfeited to the State and non-bailable warrants of arrest were issued against the petitioner in case arising out of FIR No.261 dated 28.08.2019 registered under Section 21 of the NDPS Act at Police Station Sadar Tarn Taran, District Tarn Taran.
2. Learned counsel for the petitioner has submitted that in compliance to the order dated 12.02.2024 passed by this Court, the petitioner has appeared in the Court and furnished his requisite bail bonds.



3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 12.02.2024, the following order was passed.

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been granted concession of bail in the aforesaid FIR vide order dated 01.10.2019 (Annexure P-2) has been regularly appearing in Court on each and every date of hearing. He further submits that the case was fixed in the trial Court for 31.08.2023, but on that date, the Bar Association was observing ‘No work day’. The petitioner along with co-accused had appeared in the Court on that date and the case was adjourned to 06.12.2023, but inadvertently, the petitioner had noted the date as 16.12.2023 due to which he did not appear in Court on 06.12.2023 leading to the passing of the impugned order. He submits that absence of the petitioner was not intentional but due to having wrongly noted the date. He submits that, in future, the petitioner will be more careful in this regard and the petitioner is ready to appear in the trial Court and face the trial.

3. Notice of motion.

4. On the asking of the Court, Mr. Harpreet Singh, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent- State.

5. List on 23.02.2024.

6. In the meanwhile, the petitioner is directed to appear before the trial Court within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

7. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the concerned Court in accordance with law.”

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the

order dated 12.02.2024, passed by this Court, the present petition is allowed.
The order dated 06.12.2023 (Annexure P-3), passed by learned Judge,
Special Court, Tarn Taran is set aside and the interim bail granted vide order
dated 12.02.2024 is hereby confirmed.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

23.05.2024

S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |