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

CRM-M-9154-2024

Date of decision: 21.02.2024

Sukhdeep Singh @ Sukha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order Annexure P-5 dated 24.08.2023 whereby the bail bonds/surety bonds of the petitioner were cancelled by the Judge, Special Court, Ludhiana in criminal case having FIR No.87 dated 16.06.2021 under Section 22 of NDPS Act at Police Station Dakha, District Ludhiana, on account of his absence during the trial.

2. Counsel for the petitioner submits that the petitioner was granted regular bail in this case by this Court vide order dated 19.01.2022 (Annexure P-2) and thereafter, the petitioner was regularly appearing before the trial Court but prior to the date fixed in the present case i.e. 24.08.2023, the petitioner was arrested in one another criminal case wherein later on he was granted bail vide order dated 13.09.2023 Annexure P-4 and thus, the

absence of the petitioner before the trial Court on 24.08.2023 was not intentional and even otherwise it was first default on the part of the petitioner and further the petitioner is ready to join the proceedings before the trial Court.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that the petitioner got absented on 24.08.2023 and on this, the trial Court had passed impugned order (Annexure P-5) in accordance with law and that there is no illegality or perversity in the same.

5. It is apparent that prior to passing of the impugned order (Annexure P-5), the petitioner was regularly appearing before the trial Court after he was granted bail by this Court vide order Annexure P-2.

6. In view of the above, without expressing any opinion on the merits of the case in order to avoid further delay in trial, the petitioner is hereby directed to appear before the trial Court on or before the next date of hearing 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 costs of Rs.5,000/- to be deposited by the petitioner with the District Legal Services Authority, concerned.

7. The present petition is disposed of in aforesaid terms.

21.02.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No