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

CRM-M-12713-2024
Date of decision: 03.04.2024

Ravi ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. A.S. Brar, Advocate for the petitioner.

Mr. Inderjeet Singh, DAG Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 12.12.2023 Annexure P-3 passed by Special Judge, Moga in a criminal case having FIR No. 09 dated 10.03.2023, under Section 21, 29 of NDPS Act, registered at Police Station Fatehgarh Panjtoor, District Moga.
2. The counsel for the petitioner submits that as per prosecution version, petitioner was arrested and 10 grams of heroin was recovered from his possession. Later on, petitioner was released on regular bail by the Court concerned vide order dated 01.05.2023 and thereafter, the petitioner was regularly attending the Court. Due to some unavoidable circumstances, petitioner failed to appear in the trial Court on 27.09.2023 and the case was adjourned to 12.12.2023 but even in on that date petitioner was unable to attend the Court and consequently, impugned order Annexure P-3 was passed whereby the bail of petitioner was cancelled and he was directed to be summoned through nonailable warrants of arrest. The counsel for the petitioner submits

that the absence of the petitioner before the trial Court was not intentional. It is further submitted that the petitioner is willing to join the proceedings before the trial Court, in order to avoid any further delay in trial.

3. Status report by way of an affidavit of Amarjit Singh, Deputy Superintendent of Police, Dharamkot, District Moga filed on behalf of the State is taken on record.

4. The State counsel submits that there was no illegality or infirmity in the impugned order which was passed by the trial Court in accordance with law, as on 12.12.2023, petitioner jumped bail without any intimation to the trial Court.

5. I have considered the submissions made by counsel for the parties.

6. Admittedly, prior to passing of impugned order Annexure P-3, the petitioner was granted regular bail by the Court concerned vide order dated 01.05.2023. Thereafter, petitioner jumped bail on 12.12.2023 which resulted in passing of impugned order Annexure P-3. The petitioner has shown his willingness to join proceedings before the trial Court.

7. In light of the above, without expressing opinion on the merits of the case, the present petition is hereby disposed of with direction to the petitioner to appear in the trial Court on or before the next date fixed in the trial and on his doing so, the petitioner is to be released on regular 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.

03.04.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**