



CRM-M-14507-2024

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

CRM-M-14507-2024

Date of decision: 12.08.2024

PARAMJIT SINGH ALIAS PARAMJEET SINGHPetitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Vansh Chawla, Advocate for
Mr. Tanvir Singh Attariwala
for the petitioner.

Mr. Japjot Singh, AAG Punjab.

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SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been moved by the petitioner seeking quashing of the order dated 19.01.2024 (Annexure P-3) passed by learned Judge, Special Court, Ludhiana whereby regular bail of the petitioner had been cancelled due to his non-appearance and non-bailable warrant of arrest were issued in case FIR No.173 (Annexure P-1) dated 01.11.2022 registered under Sections 21, 27 and 29 of NDPS Act along with quashing of subsequent order dated 11.03.2024 (Annexure P-4).

2. Learned counsel for the petitioner *inter alia* contends that in compliance of the order dated 21.03.2024, petitioner appeared before the learned trial Court on 31.03.2024 and furnished requisite bail bonds, surety

bonds and placed on record copy of order dated 31.03.2024 passed by

learned Judicial Magistrate Ist Class, Ludhiana. He contends that since the petitioner has joined the trial Court proceedings, as such the order dated 19.01.2024 (Annexure P-3) whereby regular bail of the petitioner had been cancelled due to his non-appearance and non-bailable warrant of arrest were issued and subsequent order dated 11.03.2024 (Annexure P-4) passed by learned Judge, Special Court, Ludhiana, be quashed.

3. Learned State counsel has not disputed the aforesaid factual matrix of the case and submits that petitioner appeared on 31.03.2024 before the learned trial Court and furnished requisite bail bonds.

4. Heard.

5. During the course of the proceedings, following order was passed on 21.03.2024:-

“ The instant petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of the order dated 19.01.2024 (Annexure P-3) passed by learned Judge, Special Court, Ludhiana, wherein regular bail of the petitioner has been cancelled due to his non-appearance and non-bailable warrant of arrest have been issued in case FIR (Annexure P-1) along with quashing of subsequent order dated 11.03.2024 (Annexure P-4) passed by the learned Judge, Special Court, Ludhiana, wherein non-bailable warrants have been issued. Details of FIR are as under:

FIR No.	Dated	Sections	Police Station
173	01.11.2022	21, 27 and 29 of Narcotics Drugs and Psychotropic Substances Act, 1985	Division No.3, Police Commissionerate Ludhiana, Punjab.



2. *It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been arrested in the aforesaid FIR (Annexure P-1) was granted concession of regular bail vide order dated 22.12.2022 (Annexure P-2) and thereafter, he appeared in the trial Court on each and every date of hearing, however, on 19.01.2024, the petitioner Paramjit Singh, could not appear in the Court having been wrongly noted the date as 19.02.2024. Even his counsel could not appear leading to the learned trial Court cancelling the bail bonds and issuing non-bailable warrants qua the petitioner. He submits that the absence of the petitioner was not intentional but due to the aforementioned circumstances and the petitioner is ready to appear in the trial Court and face 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 and seeks time to file the status report/reply.*

5. *In the meanwhile, the petitioner is directed to appear in the Court of learned trial Court/Duty Magistrate within ten days from today and in that event, he is ordered to be admitted to interim bail on his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned Court/Duty Magistrate. 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 Court in accordance with law.*

6. *List on 10.04.2024.”*

6. Keeping in view the fact that the petitioner has already appeared on 31.03.2024 before the learned trial Court and furnished requisite bail/surety bonds consequent to the order dated 21.03.2024, passed by this Court, the present petition is allowed and order dated 19.01.2024 (Annexure P-3) whereby the regular bail of the petitioner was cancelled due to his non appearance and nonailable warrant of arrest were issued and subsequent order dated 11.03.2024 (Annexure P-4), passed by learned Judge, Special Court, Ludhiana, is hereby set aside and the interim bail granted vide order dated 21.03.2024 is hereby confirmed. The petitioner shall undertake to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. The petition stands disposed of.

12.08.2024
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(SANJIV BERRY)
JUDGE

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