

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15423-2024 (O&M)
Date of Decision: 01.04.2024

Harjinder Singh @ Babbal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. H.S.Bhogal, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

The petitioner has approached this Court seeking quashing of order dated 04.11.2023 (Annexure P-1) passed by learned Additional Sessions Judge, Hoshiarpur, whereby petitioner's bail stands cancelled and the bail bonds/surety bonds stand forfeited to the State in case FIR No.150 dated 04.06.2023 registered at Police Station Model Town, District Hoshiarpur, under Section 22 of the NDPS Act.

Having heard learned counsel for the petitioner, the instant is disposed of with a direction that in case the petitioner surrenders before the trial Court within 10 days from today and moves an application for grant of regular bail, the trial Court shall consider the same expeditiously while taking into account the observations made in concluding paragraph of judgment passed by this Court in CRM-M-39172 of 2021 titled **Pawan**

Kumar Vs. State of Haryana and another decided on 21.09.2021, which reads as under:

“12. Before parting with this order, it needs to be added that this Court cannot lose sight of the fact that there would be certain cases where an accused is unable to appear before the trial Court on account of genuine reasons, say on account of having noted the date incorrectly or on account of certain reasons which are beyond his control. In such cases, the accused can surrender before the trial Court and it is expected that the trial Courts would take a lenient view in genuine cases and decide the regular bail application expeditiously. In a given set of circumstances where the trial Court is satisfied that there were valid reasons for the absence of an accused and that he has surrendered at the shortest possible time, the trial Court can in fact dispose of the regular bail application on the very day the same is presented by accused upon his surrender. The trial Court, in its discretion, may also chose to grant interim bail, in fit cases, but only after surrender of accused.”

The petition stands disposed of accordingly.

01.04.2024

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**