



CRM-M-19077-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19077-2024

Date of decision: 08.08.2024

BHAJAN SINGH @ BHAU

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Surbhi Yadav, Advocate for
Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Japjot Singh, AAG Punjab.

.....

SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been moved by the petitioner seeking quashing of the impugned order dated 30.03.2024 (Annexure P-3) passed by learned Judge Special Court, Ludhiana in case *CIS No.NDPS-302-2021 titled as 'State vs. Gurdeep Singh Ex Sarpanch etc.'* in case FIR (Annexure P-1).

2. Learned counsel for the petitioners *inter alia* contends that in compliance of the order dated 19.04.2024, petitioner appeared before the learned trial Court on 24.04.2024 and furnished requisite bail bonds and surety bonds and placed on record copy of order dated 24.04.2024 passed by learned Judge Special Court, Ludhiana. He contends that since the petitioner has joined the trial Court proceedings and has furnished the



requisite bail bonds and surety bonds, as such the order dated 30.03.2024 (Annexure P-3) passed by learned Judge Special Court, Ludhiana be quashed.

3. This aspect has not been controverted by the learned State counsel and submits that petitioner appeared on 24.04.2024 before the learned trial Court and furnished requisite bail bonds and surety bonds.

4. Heard.

5. During the course of the proceedings, following order was passed on 19.04.2024:-

“By way of instant petition preferred under Section 482 Cr.PC, the petitioner has sought quashing of the impugned order dated 30.03.2024 (Annexure P-3), passed by learned Judge Special Court, Ludhiana, in case CIS No. NDPS-302-2021 titled as ‘State vs. Gurdeep Singh Ex Sarpanch ect.’ in case FIR (Annexure P-1). Details of the FIR are as under: -

<i>FIR No.</i>	<i>Dated</i>	<i>Sections</i>	<i>Police Station</i>
147	06.11.2020	8, 18, 21, 23, 25, 27-A, 29 of the NDPS Act & 171, 395, 419, 473 IPC & 64 of Punjab Police Act	STF Mohali (SAS Nagar), District SAS Nagar Mohali

2. Heard.

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been granted the concession of regular bail vide order dated 02.03.2022 (Annexure P-2) passed by this Court had furnished the bail



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bonds before the learned Trial Court and had been regularly appearing during the course of trial but on 30.03.2024, he could not appear due to miscommunication, leading to cancellation of his bail by learned Trial Court and issuance of nonailable warrants of arrest and the next date fixed before the learned Trial Court is 01.05.2024. He contends that the petitioner is ready to appear before the learned Trial Court and face the trial.

4. *Notice of motion, returnable for 02.05.2024.*

5. *On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice on behalf of the State-respondent and does not disputed the factual matrix of the case.*

6. *Keeping in view the above facts and circumstances and without commenting on the merits of the case, the petitioner is directed to appear before the learned Trial Court/Duty Magistrate within a period of 07 days from today and in the event of his arrest, he is ordered to be released on interim bail subject to satisfaction of the Court concerned.*

7. *The petitioner shall also furnish a specific undertaking before the learned Trial Court that in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed according to law.*

8. *Adjourned to 02.05.2024.”*

6. Keeping in view the fact that the petitioner has already appeared on 24.04.2024 before the learned trial Court and furnished requisite bail/surety bonds consequent to the order dated 19.04.2024,



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passed by this Court, the present petition is allowed and order dated 30.03.2024 (Annexure P-1), passed by learned Judge Special Court, Ludhiana is hereby set aside and the interim bail granted vide order dated 19.04.2024 is hereby confirmed.

7. The Petition stands disposed of.

08.08.2024
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(SANJIV BERRY)
JUDGE

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