

2024:PHHC:054444

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

125

CRM-M-19591-2024
Date of Decision : April 23, 2024

VISHAL SINGHPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. G.S.Ghuman, Advocate and
Mr. Atul Kumar, Advocate for the petitioner.
Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for quashing of impugned order dated 29.1.2024 passed by the learned Judge, Special Court, Amritsar in FIR No. 233 dated 11.9.2021, under Sections 21, 21(c), 27(a) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and under Section 25 of the Arms Act alongwith all consequent proceedings arising thereto
2. A perusal of the impugned order makes revelations that all the four accused did not cause appearance, which led to cancellation of their bail bonds and surety bonds were also ordered to be forfeited to the State.
3. Earlier also, other two accused persons i.e. Arjun Singh and Sunil Masih, had approached this Court and this Court while considering that there is a single default, had directed them to join the proceedings before the learned trial Court concerned and also extended the interim relief that they shall not be arrested within 15 days and on their appearance before the learned trial Court concerned, their bail application

shall be considered on merits.

4. Now, it is transpired that it is a well devise tactics to delay the proceedings as the accused are coming to this Court after specific intervals despite the order of cancellation of bail was passed in January 2024. The learned trial Court concerned in its order (supra), has categorically observed that this Court vide CRM-M-56662-2023 had directed to conclude the examination of prosecution witnesses till 16.5.2024. It seems that the whole endeavor is to delay the recording of the prosecution witnesses and, therefore, the accused purposely absented on the dates fixed for recording of the prosecution witnesses. It is also transpired that two prosecution witnesses were present when the accused opted to remain absent.

5. This Court highly deprecate the conduct of all the accused persons. The petitioner is directed to surrender before the learned trial Court concerned within three days from today. The learned trial Court concerned is directed to consider his regular bail application only after conclusion of the prosecution evidence.

6. In view of the above, the instant petition is **dismissed** with the above directions.

(KULDEEP TIWARI)
JUDGE

April 23, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No