



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CRM-M-22919-2024
Date of Decision: 01.07.2024

Sahib Singh @ Avtar Singh @ Gursahib Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.

Sandeep Moudgil, J.(Oral)

1. The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for quashing of order dated 01.09.2022 (Annexure P-4), passed by learned Additional Sessions Judge, Tarn Taran, vide which the bail order of the petitioner was cancelled and his bail bonds and surety bonds were also cancelled and forfeited to State and his non-bailable warrants of arrest were issued, in case FIR No.48, dated 14.06.2021 under Sections 22 and 29 of NDPS Act, registered at Police Station Valtaha, District Tarn Taran.
2. Learned counsel for the petitioner submits that it is only on one occasion i.e. on 01.09.2022, when the petitioner could not appear before the trial Court, however, he has been continuously appearing on each and every

date. He further submits that the absence of the petitioner on the said date i.e. 01.09.2022 is stated to be on account of his met with an accident and remained bed ridden for a long time after treatment. Due to his absence on 01.09.2022, his bail stands cancelled and bail/surety bonds were forfeited to the State and he was summoned through non-bailable warrants for 29.09.2022.

3. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

4. Notice of motion.

5. On the asking of the Court, Mr. Rajiv Verma, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

6. In view of the above, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

7. In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

8. However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

9. The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh, and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered.

(SANDEEP MOUDGIL)
JUDGE

01.07.2024
Varinder Prashad

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