



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

CRM-M-23294-2024

Date of decision: 09.05.2024

MANDEEP SINGH ALIAS BUDHU

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Malkiat S. Hundal, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the impugned order dated 03.05.2024 (Annexure P-4) vide which the bail of the petitioner has been cancelled, and his bail bonds have been forfeited to the State, besides his warrants of arrest have also been issued in case FIR No.205, dated 05.09.2022, under Sections 21/25/29 of the Narcotic Drugs and Psychotropic Substance Act, 1985, and under Section 25 of the Arms Act, registered at Police Station Special Task Force, District STF Wing.

2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court was neither intentional, nor wilful, as petitioner had been regularly appearing in the trial court proceedings. What led to the petitioner remaining unrepresented before the learned trial court concerned on the relevant date, was that, the petitioner was mis-communicated by the clerk of the counsel regarding the date of hearing before the learned trial Court.

3. Though the learned counsel for the petitioner has herein challenged the impugned order (*supra*), however, he could not cite any illegality or perversity therein. Therefore, he submits that the petitioner is ready and willing to join the trial proceedings, in case he is granted an adequate protection.

4. Relying upon an order passed by the learned trial Court concerned, vide order dated 14.10.2022, whereby, the petitioner was granted the concession of regular bail, the learned counsel for the petitioner submits that the petitioner apprehends his arrest, in case he surrenders before the learned trial Court concerned.

5. Notice of motion.

6. Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of the respondent-State and vociferously opposes the grant of relief (*supra*).

7. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

8. Since the learned counsel for the petitioners is not assailing the validity of the impugned order (*supra*), and the petitioners have defaulted on only occasion, therefore, the impugned order (*supra*), is upheld. However, in case, the petitioners surrender before the learned trial Court concerned within 10 days from today, and thereupon, makes an application for grant of regular bail, the learned trial Court concerned shall make an endeavour to decide the said application on the same day itself.

9. The arrest of the petitioners shall remain stayed until 10 days from today.

10. However, in case, the petitioner fails to appear before the learned trial Court concerned within 10 days from today, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without further reference to this Court.

11. **Disposed of** accordingly.

May 09, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No