

CRM-M-25584-2024

Date of Decision: 27.05.2024

Ram

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
408	07.08.2019	Ambala Cantt, District Ambala	21 of NDPS Act

Seeking quashing of the order dated 21.03.2024, passed by the Additional Sessions Judge, Ambala in the FIR captioned above, vide which bail granted to the petitioner was cancelled and non-bailable warrants have been issued, petitioner has come up before this Court by filing the present petition under section 482 CrPC.

2. Petitioner’s counsel submits that when the petitioner was granted bail on 07.03.2024 by Additional Sessions Judge, Ambala, petitioner had furnished bail bonds in the sum of Rs.60,000/- and produced an FDR as surety with one surety in the like amount. He further submits that the petitioner was unaware that credit card has a lien over that FDR. It means FDR was practically under mortgage as lien of money used in the credit card. Petitioner’s counsel further submits that he was unaware of the said lien and now even that lien has been discharged. He also submits that he is willing to submit another FDR drawn in favour of the concerned Chief Judicial Magistrate.

3. Notice served upon the official respondent through State counsel. The nature of order this Court proposes to pass, no response from the State counsel is required.
4. Given the candid stand of the petitioner, time period within which, he voluntary undertakes to deposit fresh FDR, the impugned order dated 21.03.2024 is set aside, subject to the condition that petitioner shall furnish fresh bail bonds and surety bonds to the satisfaction of concerned trial Court and shall also hand over an FDR of Rs.60,000/- drawn in favour of CJM, Ambala with auto renewable clause by 07.06.2024 and the concerned CJM shall keep it till pendency of the trial. Petitioner is directed to do the needful on or before 07.06.2024.
5. This order shall remain in force till 07.06.2024 at 2 PM. If the petitioner fails to comply and FDR is not handed over til the prescribed date, in that eventuality, the present order shall stand recalled automatically by resorting to provision of Section 362, read with Section 482 Code of Criminal Procedure, 1973, without any further reference to this court.
6. Petition is allowed in the terms mentioned above. Non-bailable warrants are quashed and set aside. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)

JUDGE

27.05.2024

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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no