



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

143

**CRM-M No. 28877 of 2024
Date of decision : 31.5.2024**

Manpreet Singh alias Bullad**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. A.S. Sandhu, Advocate, for the petitioner

SANDEEP MOUDGIL, J (ORAL)

The petition has been filed under Section 482 Cr.P.C. for quashing the orders dated 25.9.2023 and 14.5.2024 (Annexures P-6 and P-9), passed by the trial Court in FIR No.297 dated 3.12.2022, under Sections 21-B, 25, 27 and 61 of the NDPS Act, 1985, registered at Police Station Sadar Mansa, District Mansa, whereby the bail granted to the petitioner was cancelled, and proclamation proceedings were initiated against him, including conditional warrants against surety were ordered to be issued.

2. Learned counsel for the petitioner contends that after having nominated in the other FIR, the petitioner could not appear before the trial Court in the instant FIR on 25.9.2023 and it is on that account his bail was cancelled while ordering the forfeiture of his bail bonds to the State vide order dated 25.9.2023, and proclamation proceedings were initiated against him, including conditional warrants against surety were ordered to



be issued vide order dated 14.5.2024.

3. Learned counsel for the petitioner before this Court undertakes that he is ready and willing to surrender before the trial Court to associate in the trial proceedings within a period of 10 days from today itself.

4. In the light of above, having regard to the reasons mentioned in the petition as well as argued before this court, this Court is duly convinced that the absence of the petitioner is neither intentional nor deliberate but has occurred due to bona fide error in the circumstances that he was nominated in other FIR.

5. Now the petitioner has given an undertaking to join the proceedings after surrendering to the law which would only facilitate the ponderance of Court proceedings and help in expediting the proceedings for final adjudication. This Court is of the considered view that in the light of circumstances discussed as above, the petitioner deserves to be given one opportunity to surrender and join the proceedings before the trial Court as undertaken by him, i.e., within a period of 10 days from today.

6. Hence, the orders dated 25.9.2023 and 14.5.2024 are set aside subject to surrender of the petitioner within 10 days from today.

7. It is further observed that in case any application for bail is moved by the petitioner, the same may be considered and decided by the Court in accordance with law on that very day itself.

8. There is no denial to the fact that due to petitioner's act, delay has occurred in trial proceedings and has caused prejudice to the other side and to compensate the delay which is caused by the petitioner alone,

the petitioner himself undertakes to deposit costs of ₹5000 before the



Punjab and Haryana High Court Bar Clerks Association 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.

9. 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.

10. The petition in the aforesaid terms is allowed.

(SANDEEP MOUDGIL)
JUDGE

31.5.2024
Ashwani

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