



CRM-M No.28413 of 2024

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

151

**CRM-M No.28413 of 2024
Date of Decision: 30.05.2024**

LOVEPREET SINGH @ JUJ @ JUDGE **.....Petitioner(s)**

Vs

STATE OF PUNJAB **....Respondent(s)**

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gursimran S. Bawa, Advocate
 for the petitioner.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition filed under Section 482 Cr.P.C., prayer has been made for setting aside the order dated 11.01.2024 (Annexure P-7) passed by the Addl. Sessions Judge, Amritsar, whereby bail of the petitioner has been cancelled and his bail bonds/surety bonds were forfeited to the State resulting into issuance of non-bailable warrants against him.

[2]. Briefly stating, having been implicated in FIR No.211 dated 04.07.2022 registered under Section 21 of NDPS Act, 1985 at Police Station Maqboolpura, District Police Commissionerate, Amritsar, petitioner was granted the concession of regular bail by the Trial Court and since then, he was regularly participating in the proceedings, but after presentation of challan, when petitioner did not appear before the Trial Court due to some miscommunication, his bail was cancelled and bail bonds and surety bonds were forfeited to the State followed by issuance of non-bailable warrants against him vide order dated 11.01.2024.

[3]. Impugning the aforesaid order, learned counsel for the petitioner submits that non-appearance of the petitioner was wholly unintentional as the petitioner never intended to evade the process of law. It has been further submitted



CRM-M No.28413 of 2024

that since 11.01.2024 till today, petitioner never indulged himself in any kind of criminal activity and is ready to surrender before the Trial Court to join the proceedings.

[4]. Notice of motion.

[5]. On asking of the Court, Mr. Athar Ahmed, DAG, Punjab accepts notice on behalf of respondent/State and opposes the prayer made on behalf of the petitioner while submitting that the petitioner despite having knowledge about the pendency of proceedings, deliberately chose not to appear before the Trial Court resulting into cancellation of his bail and forfeiture of bail bonds/surety bonds to the State, thus the impugned order warrants no interference.

[6]. I have heard learned counsel for the parties and gone through the paper book.

[7]. Considering the fact that the petitioner did not appear before the Trial Court after presentation of challan due to some miscommunication and the fact that he never indulged himself in any kind of criminal activity post 11.01.2024 till date and also that he is ready to join the proceedings before the Trial Court, the present petition is allowed and the order dated 11.01.2024 (Annexure P-7) passed by the Addl. Sessions Judge, Amritsar is set aside with a direction to the petitioner to appear before the Trial Court within a period of ten (10) days from today and furnish adequate bail bonds/surety bonds to the satisfaction of the concerned Court. The petitioner shall also file an affidavit that he will appear on each and every date of hearing except in case of the exemptions specifically granted by the Court concerned. Till then, no coercive steps be taken against the petitioner.

[8]. The aforesaid order, however, shall be subject to payment of cost(s) of Rs.5,000/- to be deposited with Nishkam Sewa Group (For Charitable Work) Run by Punjab & Haryana High Court Lawyers at Chandigarh. The copy of receipt shall also be produced before the Trial Court.

May 30, 2024
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(HARKESH MANUJA)
JUDGE