



CRM-M-29474-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CRM-M-29474-2024
Date of Decision: 05.06.2024

Swarnjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Kamal Narula, Advocate for the petitioner
Mr. Sehajbir Singh Aulakh, Assistant Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Section 482 Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') is seeking quashing of order dated 26.04.2024 (Annexure P-5) passed by Special Court, Faridkot, vide which non-bailable warrant was issued against him in FIR No.44 dated 18.03.2023 (Annexure P-1) under Section 22-B of NDPS Act, 1985 registered at Police Station Faridkot, District Faridkot.
2. Mr. Kamal Narula, Advocate *inter alia* contends that petitioner was arrested on 18.03.2023 and thereafter released on regular bail vide order dated 21.04.2023 (Annexure P-2) passed by Special Court, Faridkot. On 26.04.2024, the petitioner could not appear before the Trial Court as he was admitted in De-addiction and Rehabilitation Center, Rajasthan and on the said date Trial Court cancelled his bail bonds and issued non-bailable warrants. He



is ready and willing to appear before the Trial Court and pay costs of ₹10,000/-,

3. Notice of motion.

4. Mr. Sehajbir Singh Aulakh, Assistant Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondent-State.

5. With the consent of both sides, the main case is taken up for final adjudication.

6. Learned State counsel does not dispute the factual position and submits that respondent-State has no objection, if petition is disposed of subject to costs.

7. Intent of arrest and reason of denial of bail is to secure the appearance of the accused at the time of trial. A person who seeks to be liberated must take judgment and serve sentence in the event of his conviction. The nature of the crime charged, severity of punishment prescribed, prime facie available evidences, history & background of the accused may indicate that any amount of bond and surety is not going to secure presence of accused, at the time of conviction.

8. Keeping in mind:

- i. The object of cancellation of bond or declaration of anyone as proclaimed offender/person is to secure his presence;



- ii. The petitioner has come forward to face trial and undertakes to appear before Trial Court on each and every date, thus ,his presence would meet ends of justice;
- iii. He, for wasting valuable time and energy of Courts as well as prosecution, is willing to pay costs of ₹10,000/-;
- iv. He is ready to furnish bond/surety to the satisfaction of the Trial Court;

this Court is of the considered opinion that present petition needs to be allowed and accordingly allowed. The petitioner is directed to appear before Trial Court on or before 12.07.2024 and on his doing so, the Trial Court shall admit him to bail on furnishing fresh bail bonds subject to payment of costs of ₹10,000/- to PGI Poor Patient Welfare Fund, Chandigarh.

9. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

05.06.2024
Mohit Kumar

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