



CRM-M-32707-2024(O&M)

1

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

Sr. No.120

CRM-M-32707-2024(O&M)
Date of decision : 12.07.2024

Rahul @ Ramesh

..... Petitioner

VERSUS

State of U.T. Chandigarh

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Vivek Thakral, Advocate, for the petitioner.

KIRTI SINGH, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing the impugned order dated 22.07.2022 (Annexure P-1) vide which bail of the petitioner has been cancelled and bail bonds/surety bonds of the petitioner have been forfeited in case FIR No.142 dated 06.09.2021 under Section 21 of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station South Sector 34, Chandigarh.

2. Learned counsel for the petitioner submits that the petitioner was granted concession of bail in afore-stated FIR by the learned trial Court and he was regularly appearing before the trial Court.

3. He further submits that the petitioner was not well because he was suffering from depression and was undergoing treatment. He also refers to the medical record of the petitioner annexed at Annexure P-4. Hence he could not appear on the last two dates fixed before the trial Court and thus, bail granted to him was cancelled and the bail bonds/surety bonds were also cancelled. He submits that the petitioner is ready to appear before the trial



Court and abide by all the terms and conditions as may be imposed upon them by the trial Court.

4. Notice of motion to the official respondents at this stage.

5. At asking of the Court, Mr. Manish Bansal, P.P. U.T. Chandigarh accepts notice on behalf of respondent-State.

6. Heard.

7. On hearing learned counsel for the petitioner and perusing the record, it is apparent that the petitioner was granted bail by the trial Court, however due to health issues, he could not appear before the trial Court on last two dates and on account of the same, his bail bonds/surety bonds were cancelled. The petitioner is ready to appear before the trial Court and face the trial.

8. This Court finds that no useful purpose will be served by sending the petitioner in custody when he was continuously appearing before the trial Court but could not appear on two dates due to health issues.

9. In view of the above, the present petition is allowed. Order dated 22.07.2022 (Annexure P-1) is hereby set aside subject to payment of cost of Rs.10,000/- by the petitioner to be deposited with the Poor Patient Welfare Fund, PGIMER Chandigarh within four days from today. The petitioner after depositing the cost as stated above would appear before the trial Court on or before the date fixed i.e. 18.07.2024 and file appropriate application along with receipt of payment of cost. The trial Court would release the petitioner on bail on his furnishing fresh bail bonds to its satisfaction. No coercive action would be taken against the petitioner till

18.07.2024. In case, the petitioner failed to appear before the trial Court on

or before the date fixed i.e. 18.07.2024 or fails to deposit the cost as stated above, this order would be of no avail to the petitioner.

(KIRTI SINGH)
JUDGE

12.07.2024
Kapil

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