



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

285

CRM-M-33721-2024 (O&M)

Date of Decision:- 01.08.2024

GURJINDER SINGH AND ANOTHER

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. S.S. Jatan, Advocate for the petitioners.

Mr. Ramender Singh Chauhan, AAG Haryana.

SANJIV BERRY, J. (ORAL)

1. By way of present petition preferred under Section 482 Cr.P.C., the petitioners have sought quashing of impugned order dated 09.05.2024 (Annexure P-4) passed by the Court of learned Additional Sessions Judge, Ambala, whereby the bail of the petitioners was cancelled and their bail bonds were forfeited to the State and non-bailable warrants were issued against the petitioners in case FIR No.708 dated 19.12.2020 registered under Sections 18 and 29 of the NDPS Act; Section 120-B IPC and Section 42-A of the Prisons Act, at Police Station Baldev Nagar, District Ambala.

2. Learned counsel for the petitioners has submitted that in compliance to the order dated 18.07.2024 passed by this Court, the petitioners have appeared in the Court and furnished their requisite bail bonds. He has placed on record copy of the order dated 24.07.2024, whereby



the petitioners have been admitted on interim bail by the learned trial Court.

3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 18.07.2024, the following order was passed.

“1. It is, inter alia, contended by learned counsel for the petitioners that the petitioners, after having been granted the concession of bail vide orders dated 20.04.2021 and 08.09.2021 (Annexures P-2 and P-3) in case FIR (Annexure P-1) had been regularly appearing in the Court. However, on 09.05.2024, the petitioners could not appear in the Court as they had wrongly noted the date as 09.07.2024 instead of 09.05.2024, leading to cancellation of their bail and issuance of non-bailable warrants of arrest by the learned trial Court. Learned counsel submits that the absence of the petitioners was not intentional but due to the reason aforesaid and they are ready to appear in the trial Court and face the trial.

2. Notice of motion.

3. On the asking of the Court, Mr. Surender Singh, AAG Haryana accepts notice on behalf of respondent-State and has not disputed the factual matrix.

4. List on 01.08.2024.

5. In the meanwhile, petitioners are directed to appear before the Trial Court/Duty Magistrate concerned, within a period of 07 days from today. In that event, they are ordered to be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the concerned Court/Duty Magistrate, however, subject to deposit of cost of Rs.5,000/- each in District Legal Services Authority, Ambala and produce the receipt thereof while appearing before the trial Court. The petitioners will also furnish a specific undertaking that in future they will appear on each and every date of hearing without fail and only in case of extreme exigency will they seek prior exemption from the Court in accordance with law.”

6. Keeping in view the fact that the petitioners have already appeared in the Court and furnished their requisite bail/surety bonds consequent to the order dated 18.07.2024 passed by this Court, the present petition is allowed. The order dated 09.05.2024 (Annexure P-4) passed by



the Court of learned Additional Sessions Judge, Ambala is set aside and the interim bail granted vide order dated 18.07.2024 is hereby confirmed.

- 7. The petition stands allowed.
- 8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

01.08.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No