



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

Sr. No.121

CRM-M-34155-2024

Date of decision : 19.07.2024

JUGRAJ SINGH @ MOTA

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. S.P.S.Khaira, 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 28.05.2024 (Annexure P-3) vide which non-bailable warrants of the petitioner were issued in case FIR No.61 dated 20.03.2022 under Sections 22(b)/29/61/85 (Section 29 added later on) of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station Civil Lines Batala, District Gurdaspur, Punjab.

2. Learned counsel for the petitioner submits that vide order dated 05.04.2022, the petitioner was granted concession of bail in afore-stated FIR by the learned trial Court, which was made absolute vide order dated 25.05.2023 and he was regularly appearing before the trial Court.

3. Learned counsel for the petitioner further submits that the petitioner had inadvertently noted wrong date of hearing, hence he could not appear on the date fixed before the trial Court and thus, bail granted to him was cancelled by the trial Court and the bail bonds/surety bonds were also

forfeited to the State and had issued the arrest warrants against him. He also



submits that non-appearance of the petitioner was unintentional. 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 him by the trial Court.

4. Notice of motion.

5. At asking of the Court, Mr. J.S. Dhaliwal, AAG Punjab, 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 inadvertent mistake in noting the date of hearing, he could not appear before the trial Court on one date i.e. 28.05.2024 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 only on one occasion. The reason for which he has given that he noted a wrong date and now he is ready to join the proceedings.

9. In view of the above, the present petition is allowed. Order dated 28.05.2024 (Annexure P-3) 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 within a week 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. In case, the petitioner fails to appear before the trial Court within a week or fails to deposit the cost as stated above, this order would be of no avail to the petitioner.

(KIRTI SINGH)
JUDGE

19.07.2024
Kavita Nain

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