



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

241

**CRM-M-34192-2024 (O&M)
Date of Decision:- 23.08.2024**

SUNIL SAROJ

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Vishal Khatri, Advocate for
Mr. Vipul Jindal, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

1. By way of present petition preferred under Section 482 Cr.P.C., the petitioner has sought quashing of impugned order dated 21.03.2024 (Annexure P-3) passed by the Court of learned Judge, Special Court, Amritsar, whereby non-bailable warrant of arrest was issued against the petitioner in case FIR No.36 dated 02.12.2022 registered under Sections 21, 23(C), 25 and 29 NDPS Act at Police Station State Special Operation Cell, District Amritsar.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 19.07.2024 passed by this Court, the petitioner has appeared in the Court and furnished his requisite bail bonds on 23.07.2024. He has placed on record copy of the order dated 23.07.2024, passed by learned Additional Sessions Judge, Amritsar, whereby the



petitioner has 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 19.07.2024, the following order was passed.

“It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been granted the concession of bail by this Court vide order dated 27.07.2023 passed in CRM-M-14973-2023 in case FIR (Annexure P-1), had been regularly appearing in the trial Court, however, on 21.03.2024, the petitioner could not appear in the trial Court on account of having noted wrong date of hearing, leading to cancellation of his bail and issuance of non-bailable warrants of arrest vide order dated 21.03.2024 (Annexure P-3). He submits that the absence of the petitioner was not intentional but was due to the aforesaid reason. He submits that the petitioner is ready to appear before the trial Court and face trial and undertakes to appear on each and every date of hearing without fail.

Notice of motion.

On the asking of the Court, Mr. Ankit Grewal, DAG Punjab, accepts notice on behalf of the respondent-State and has not disputed the factual matrix.

List on 02.08.2024.

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

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the

order dated 19.07.2024 passed by this Court, the present petition is allowed.
The order dated 21.03.2024 (Annexure P-3) passed by the Court of learned Judge, Special Court, Amritsar is set aside and the interim bail granted vide order dated 19.07.2024 is hereby confirmed.

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

(SANJIV BERRY)
JUDGE

23.08.2024
S.Sharma(syr)

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