

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

**CRM-M No. 36487 of 2023 (O&M)
Date of Decision: 11.03.2024**

Parminder Singh @ Pinder

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lakshay Bector, Advocate,
for the petitioner.

Mr. Siddharath Sandhu, Assistant Advocate General, Punjab
for the respondent.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the order dated 13.07.2023 (Annexure P-6) passed by the learned Additional Sessions Judge, Ludhiana, vide which the anticipatory bail granted to the petitioner by this Court vide order dated 09.05.2019 (Annexure P-3) in FIR No. 110 dated 28.08.2018, under Sections 21 & 29 of NDPS Act, registered at Police Station City Doraha, District Ludhiana, was cancelled, followed by forfeiture of his bail bonds / surety bonds to the State.

[2] This Court, while issuing notice of motion vide order dated 31.07.2023, passed the following order:-

“ This is a petition under Section 482 Cr.P.C. for quashing of order dated 13.07.2023 (Annexure P-6) passed by the Additional Sessions Judge, Ludhiana, in case FIR No.110 dated 28.08.2018, under Sections 21 and 29 of NDPS Act, registered at Police Station Doraha, District Ludhiana, whereby bail was cancelled and bail bonds and

surety bonds were forfeited to the State.

Learned counsel for the petitioner submits that on 12.07.2023, an application for exemption from personal appearance on behalf of petitioner was moved before the trial Court, which was allowed and case was adjourned for the next very day i.e. 13.07.2023 but the said date was not communicated to him by his counsel due to short span and thus, he could not appear before the Court.

Counsel submits that the absence of petitioner before the trial Court is not intentional but due to non-communication of the date fixed by the Court. He also submits that the petitioner is keen to join the proceedings before the trial Court and abide by all the terms and conditions imposed by the Court.

Notice of motion, returnable for 22.08.2023.

Mr. Digvijay Nagpal, AAG, Punjab, accepts notice on behalf of respondent No.1-State and waives service. He seeks time to file reply/status report.

In the meantime, petitioner is directed to appear before the trial Court concerned on or before 07.08.2023 and on his appearance, he be enlarged on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

To enable the petitioner to put in appearance before the Court below, his arrest pursuant to the impugned proceedings, shall remain stayed till 07.08.2023.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of above said protection granted by this Court and order dated 13.07.2022 (Annexure P-6) alongwith subsequent proceedings, would come in force. ”

[3] Pursuant to the above order dated 31.07.2023, short reply by way of affidavit dated 23.11.2023 of Sh. Nikhil Garg, PPS, DSP, Sub-Division Payal, Police District Khanna, District Ludhiana, has been filed on

behalf of the respondent, the same is taken on record. Copy thereof supplied to the opposite side. In para-4 of the aforesaid affidavit, it is stated that the petitioner appeared before the trial Court on 07.08.2023 and submitted his fresh bail / surety bonds.

[4] Learned counsel for the petitioner assures the Court that the petitioner shall appear on each and every date to be fixed by the trial Court.

[5] In view of the above, the interim order dated 31.07.2023 passed by this Court is made absolute.

[6] **Disposed off** accordingly.

March 11, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No