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

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Date of Decision:- 23.07.2024

Paramjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioner Paramjit Singh has filed petition under Section 482 Cr.P.C. for quashing of impugned order dated 01.05.2024 (Annexure P-3) passed by learned Special Court, Jalandhar, whereby his bail bonds/surety bonds have been cancelled and forfeited to State in the trial in FIR No. 24 dated 15.02.2011, under Sections 15/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Kartarpur, District Jalandhar.

2. Learned counsel for petitioner pointed out that earlier petitioner was regularly appearing before the trial Court and he never absented. In-fact, prosecution witnesses were not appearing in his case. On 01.05.2024, impugned order, Annexure P-3, was passed in which he was marked absent and his bail order was cancelled and bail bonds/surety bonds

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were forfeited to State and his arrest warrants have been issued, for 14.08.2024. There was no intentional absence on the part of present petitioner. He could not appear in Court due to wrong noting down of case.

3. Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State.

4. Learned counsel for petitioner has placed on record all relevant *zimni* orders passed in this case from time to time. Therefore, no status report is required for disposal of present petition. However, learned counsel representing the State opposed petition by alleging that on account of absence of present petitioner, his arrest warrants were issued by cancelling and forfeiting his bail/surety bonds. Therefore, he is not entitled to any relief.

5. I have considered the arguments and have gone through the record carefully. Learned counsel for petitioner has placed on record *zimni* orders starting from 29.04.2022 till the passing of impugned order vide which petitioner was marked absent and his bail bonds and surety bonds were cancelled and forfeited to State and his arrest warrants were issued. Perusal of *zimni* orders, Annexure P-2, it is clear that on 3 or 4 occasions, present petitioner filed application for exemption of his appearance and in all other dates he was on bail and regularly appearing before the trial Court. Therefore, his absence on 01.05.2024 does not appear to be intentional.

6. Taking a lenient view, petition filed by petitioner Paramjit Singh is allowed. He is directed to surrender before the trial Court within 10 days from today and be released on bail on furnishing requisite bail and



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surety bonds to the satisfaction of trial Court concerned.

- 7. Petition is accordingly, disposed of.
- 8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.07.2024
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(AMARJOT BHATTI)
JUDGE

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