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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-46170-2024
Date of Decision: 17.09.2024

RAVAN @ ADALAT

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Sandeep Arora, Advocate for the petitioner.

GURBIR SINGH, J (ORAL)

1. This petition has been filed under Section 528 Cr.P.C for quashing order dated 04.07.2024 (passed by learned Special Judge, Jalandhar) vide which bail order of the petitioner was cancelled and bail bonds and surety bonds were forfeited to the State in an illegal and arbitrary manner in case FIR No. 146 dated 04.09.2022 under Sections 15, 22 of NDPS Act registered at Police Station Kartarpur, Jalandhar(Rural).
2. Learned counsel for the petitioner *inter-alia* submits that the petitioner was nominated as an accused in the present case. He applied for anticipatory bail which was allowed vide order dated 04.11.2022. After the completion of the investigation, challan was presented and the petitioner was regularly appearing before the trial Court. On 04.07.2024, the petitioner could not appear before the trial Court on account of fact that he had noted wrong date as 24.07.2024 and due his non-appearance, the learned trial Court issued non-bailable warrant of arrest and forfeited the bail bonds and surety bonds of the petitioner.

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3. Notice of motion.

4. Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State. She submits that the petitioner intentionally failed to appear in the trial Court and thereby violated the order of grant of bail to him. The petitioner does not deserve any concession.

5. The petitioner was regularly appearing in the case. He absented on 04.07.2024 on the ground that he noted the wrong date. He immediately thereafter rushed to this Court. The petitioner is being penalized on account of his absence on a single date. The impugned order is very harsh. Thus, the order of cancellation of bail is hereby set aside.

6. The petitioner is directed to surrender before the trial Court within a period of ten days. In case of doing so, he shall be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court subject to deposit the costs of Rs.5,000/- with the concerned District Legal Services Authority and present a copy of receipt before the Trial Court/Duty Magistrate.

7. Petition stands disposed of.

17.09.2024*renu***(GURBIR SINGH)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No