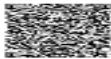


2024:PHHC:137391



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

306

CRM M-44477 of 2024
Date of Decision: 21.10.2024

Navdeep Singh @ Nav ...Petitioner
Versus
State of Punjab ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Damini Aggarwal, Advocate for
Mr. Raminder Singh Dhaliwal, Advocate
for the petitioner (through V.C.).

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Cr.P.C. with a prayer to set-aside the impugned order dated 19.07.2024 (Annexure P-3) passed by the Judge, Special Court, Kapurthala, whereby, the bail order was cancelled and the bail bonds and the surety bonds of the petitioner were forfeited to the State due to the non-appearance of the petitioner.
2. Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court 19.07.2024 as the petitioner as well as his counsel had wrongly noted the next date of hearing as 21.07.2024. Learned counsel for the petitioner further

submits that due to this reason, the petitioner could not appear before the trial Court and his absence before the trial Court was not intentional. Learned counsel submits that the petitioner shall appear on each and every date of hearing and shall not remain absent without the permission of the trial Court.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner did not appear before the trial Court and does not deserve any leniency by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. After perusing the records, this Court finds that there is no illegality in the impugned order 19.07.2024 (Annexure P-3) passed by the Court of Judge, Special Court, Kapurthala. However, taking a lenient view of the matter and also considering the fact that the recovery of the contraband is non commercial in nature, the petitioner is directed to surrender before the trial Court within a period of two weeks from today and on his appearance, he shall be admitted to bail on bail bonds/surety bonds earlier furnished by the petitioner to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

6. The petitioner shall file an affidavit before the trial Court that he shall appear on each and every date of hearing and shall not

remain absent during the trial without prior permission of the trial Court. In case, the petitioner does not appear on any date of hearing before the trial Court without prior permission, it shall be viewed seriously and the necessary consequences will follow.

7. Disposed off.

21.10.2024	(N.S.SHEKHAWAT)
amit rana	JUDGE
Whether reasoned/speaking	: Yes/No
Whether reportable	: Yes/No