



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

**CRM-M-43031-2024
Date of Decision : 02.09.2024**

JAGDEEP SINGH ALIAS JONY ...Petitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 25.07.2024 (Annexure P-3) passed by learned Judge, Special Court, Jalandhar in case FIR No.247 dated 18.11.2021 under Section 18 of NDPS Act registered at Police Station Division No.8, District Police Commissionerate, Jalandhar whereby his bail has been cancelled and non-bailable warrants of arrest have been issued against him.

2. Learned counsel contends that in the morning hours of 25.07.2024, the grandmother of the petitioner had suffered a very severe attack of hypertension/high blood pressure and as there was nobody at home, the petitioner informed his counsel to make a prayer for adjournment but due to some communication gap, counsel for the petitioner instead of mentioning the aforesaid fact, mentioned that as the petitioner had



to go out of station, he could not appear before the learned Judge, Special Court. Resultantly, the application for personal exemption was dismissed by the learned Judge, Special Court and bail order dated 22.12.2021 was ordered to be cancelled and non-bailable warrants were issued. Learned counsel further submits that absence of the petitioner was not intentional and he is still willing and ready to appear, and surrender before the Judge, Special Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Judge, Special Court, Jalandhar, and directions be given to it that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On the asking of the Court, Mr. Navdeep Singh, DAG, Punjab, accepts notice on behalf of the responden-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with the following directions;

“The petitioner is to appear and surrender before the trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. This is contingent upon the petitioner paying a cost of Rs.20,000/- to be deposited with the District Legal Services Authority concerned. Furthermore, the petitioner is required to plant three fruit bearing and three shady trees with tree guards within the judicial complex,



Jalandhar, with the specific area to be identified by the DLSA concerned within 07 days from today; the DLSA would also ensure the proper maintenance and upkeep of the trees so planted.”

6. It is made clear that in case, the petitioner fails to surrender before the Judge, Special Court, Jalandhar within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

September 02, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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