

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

125

CRM-M-43774-2024

DATE OF DECISION: 05.09.2024

**NARINDERJEET SINGH ALIAS NEENU****...PETITIONER****Versus****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Kanwaljeet Singh, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

\*\*\*

**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 528 BNSS for quashing of impugned order dated 16.08.2024 (Annexure P-19) passed by the court of Additional Sessions Judge, Ludhiana in case bearing no. NDPS-13390/2018 titled as "State VS Narinder Singh etc.", whereby the bail order of petitioner has been cancelled, bail bonds and Surety bonds have been forfeited to State and Non-Bailable warrants of the petitioner have been issued in FIR no. 44 dated 17.05.2018 u/s 15 NDPS Act 1985, Police Station Maloud, Police District Khanna/ Ludhiana (Annexure P-1).

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 16.08.2024 due to noting down the wrong date i.e. 26.08.2024 instead of 16.08.2024. When the petitioner went to the Court on 26.08.2024, he found that the Court is closed due to public holiday of Sr. Krishna Janamashtami and he came to know about the impugned order passed by the Trial Court.

Learned counsel for the petitioner submits that the petitioner did not have any intention to avoid attendance in the Court proceedings otherwise also he was appearing regularly on each and every date before the Court. He further undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of ten days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of cost of Rs.10,000/- to be deposited with the



Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)  
JUDGE

05.09.2024  
anuradha

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |