



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

CRM-M-44219-2024

Date of decision: 09.09.2024

Rajender Singh @ Jinder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. V.B. Godara, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 19.04.2024 Annexure P-3 passed by the Court of Special Judge, under NDPS Act Fatehabad vide which the bail of the petitioner was cancelled and he was directed to be summoned through non bailable warrants of arrest on account of his absence before the trial Court on the date fixed in a criminal case having FIR No. 187 dated 27.03.2022, under Sections 21(b)/27-A of NDPS Act, Police Station City Fatehabad, District Fatehabad.

2. Counsel for the petitioner inter alia submits that the present case is relating to non commercial quantity of contraband wherein, the petitioner was granted regular bail by the Court concerned vide order dated 29.04.2022 (Annexure P-2). That thereafter, the petitioner was regularly appearing before the trial Court but due to some unavoidable circumstances, the petitioner failed to appear before the trial Court on 19.04.2024 and consequently, impugned order Annexure P-3 was passed in a hasty manner

by the said Court, without taking into consideration the fact that this was single default on the part of the petitioner. Counsel for the petitioner further submits that petitioner is ready and willing to join the proceedings before the trial Court at the earliest without any delay.

3. Notice of motion.
4. Ms. Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the State and submits that on 19.04.2024, the petitioner jumped bail which resulted into passing of impugned order Annexure P-3. However, the State counsel has not disputed the fact that the case is relating to non commercial quantity and earlier the petitioner was released on regular bail vide order Annexure P-1 by the Court concerned.
5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction and subject to cost of Rs.5000/- to be deposited by the petitioner with the District Legal Services Authority concerned.
6. Disposed of in aforesaid terms.

09.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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