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

CRM-M-45148-2024

Date of Decision: September 12, 2024

RANJIT SINGH ALIAS NIKKA**....Petitioner(s)****VERSUS****STATE OF PUNJAB****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

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

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

This petition has been filed by the petitioner under Section 528 Cr.P.C. for quashing of impugned order dated 15.07.2024 passed by Special Judge, Jalandhar (Annexure P-2) vide which the 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.2 dated 06.01.2022 under Sections 21(b) of NDPS Act, registered at Police Station Kartarpur, Jalandhar Rural on account of his absence from the Court on 15.07.2024.

Learned counsel for the petitioner submits that the petitioner could not appear in Court on 15.07.2024 as he noted down the date wrongly as 25.07.2024 instead of the actual date 15.07.2024 and therefore, due to his non-appearance, his bail order was cancelled and non-bailable warrant issued. He did not have any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date



before the Court. He 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 one of 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 one week 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/- be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code: SBIN0050306) 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

12.09.2024
Sangeeta

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