



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

CRM-M-45933-2024

Date of decision: 16.09.2024

Jaspal Singh @ Pali

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Tanveer Singh, Advocate for the petitioner.

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**KARAMJIT SINGH, J. (ORAL)**

1. The present petition has been filed by the petitioner under Section 528 of BNSS 2023 seeking quashing of order dated 14.08.2024 Annexure P-6 passed by the Court of Additional Sessions Judge, Amritsar vide which the bail order of the petitioner was cancelled and he was directed to be summoned through nonailable warrants of arrest in a criminal case having FIR No. 52 dated 21.04.2018 Annexure P-1, registered under Section 21/22 of NDPS Act in Police Station Majitha, District Amritsar Rural, on account of absence of the petitioner before the trial Court on the date fixed.

2. Counsel for the petitioner inter alia submits that the present case is relating to recovery of non commercial quantity of contraband. The petitioner was granted regular bail vide order Annexure P-2 dated 23.05.2018 by the Court concerned and thereafter, the petitioner was regularly appearing in the trial. That however, on 14.08.2024, due to some mis-communication between the petitioner and his counsel, the petitioner



failed to appear in the trial Court and consequently, impugned order Annexure P-6 was passed by the trial Court in a hasty manner, without taking into consideration, the fact that this was single default on the part of the petitioner. It is further submitted that petitioner is ready and willing to join the proceedings before the trial Court at the earliest.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and on instructions from Inspector Balkar Singh submits that no doubt, the petitioner was granted regular bail vide order Annexure P-2, but subsequently, he jumped bail on 14.08.2024. Resultantly, impugned order Annexure P-6 was passed by the learned trial Court in consonance with the provisions of law. However, the State counsel has not disputed the fact that this was the single default on the part of the petitioner.

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.

**16.09.2024**

*Yogesh*

**(KARAMJIT SINGH)**  
**JUDGE**

**Whether speaking/reasoned:-**  
**Whether reportable:-**

**Yes/No**  
**Yes/No**