



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

CRM-M-49960-2024
Date of decision: 04.10.2024

Bilal Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ajay Singh, Advocate for
Mr. N.S. Sidhu, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present has been filed by the petitioner under Section 528 of BNSS 2023 seeking quashing of impugned order dated 04.09.2024 Annexure P-4 passed by the Court of Additional Sessions Judge, Sirsa whereby the bail of the petitioner was cancelled and he was directed to be summoned through non bailable warrants of arrests, on account of his absence before the trial Court on the date fixed in a criminal case having FIR No.457 dated 24.12.2021 under Section 15 of NDPS Act, Police Station Sadar Dabwali, District Sirsa.

2. Counsel for the petitioner inter alia submits that the present case is relating to recovery of non commercial quantity of contraband and during investigation, the petitioner was arrested and later on released on regular bail vide order Annexure P-2 dated 11.04.2022. Thereafter, the petitioner was regularly appearing before the trial Court but was unable to attend the Court on 04.09.2024 on account of illness and resultantly,



impugned order Annexure P-4 was passed by the learned trial Court in a hasty manner without issuing notice to the petitioner. Counsel for the petitioner further submits that petitioner is ready to join the proceedings before the trial Court at the earliest without any trial.

3. Notice of motion.

4. Mr. Karan Garg, AAG, Haryana, accepts notice on behalf of the State and submits that it appears that petitioner got absented on 04.09.2024 and consequently, his bail order was cancelled and petitioner was directed to be summoned through nonailable warrants of arrest by the trial Court vide order Annexure P-4.

5. From the perusal of Annexure P-2, it could be easily made out that previously, the petitioner was granted regular bail by the Court concerned vide order dated 11.04.2022. It also appears that the petitioner is ready to join the proceedings in the trial at the earliest.

6. 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.7000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

7. Disposed of in aforesaid terms.

04.10.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No