



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51087-2024 (O&M)
Date of Order: 16.10.2024

Sunny Sahib Singh @ Sunny Saab Singh
... Petitioner(s)
Versus
State of Punjab
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Arjun Veer Sharma, Advocate
for the petitioner(s).

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
168	6.5.2015	Jodhewal, District Ludhiana	379 IPC and Section 21 Mines & Mineral (Development and Regulation) act, 1957 (added later on)

1. Challenging the order dated 18.7.2023 passed by Additional Sessions Judge, Ludhiana in the FIR captioned above, whereby bail/surety bonds of the petitioner have been ordered to be cancelled, the petitioner has come up before this court under Section 528 BNSS, 2023 for its quashing.
2. The petitioner-accused was on bail in this case, but due to his absence, his bail was cancelled and now, case is fixed for processing service of the petitioner through arrest warrant for 5.11.2024.
3. The reasons for not appearing before the Court are mentioned in the para 6 of the petition, in which the petitioner explains that he being a drug addict, was admitted at de-addiction centre at the relevant times. By the time he informed his counsel before the trial Court about his admission in the De-addition Centre, he was already served through warrants of arrest. Earlier, he was appearing before the trial Court on each and every hearing. He further undertakes that he shall appear on each and every date in future also.
4. In my considered opinion, the explanation deserves acceptance. Consequently, the impugned order dated 18.7.2023 (Annexure P-5) is set aside. The petitioner is



directed to appear before the trial Court on 25.10.2024 at 11-00 a.m. and apply for bail and till then, his arrest shall be stayed. In case he does not follow the above option(s), then this would mean that the petitioner’s explanation was not *bona fide* but was intending to get a favorable order, and consequently, this order shall stand recalled automatically by virtue of powers under sections 403 read with 528 BNSS, 2023, without any further reference to this court, and the impugned order shall stand restored.

5. It is clarified that till the time the petitioner appears before the concerned court, he shall not visit any other place except his home, and in case he wants to stay in another place, they shall intimate the address of such place to the concerned SHO by e-mail, by attaching the copy of this order.

6. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition is partly allowed to the extent mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

October 16, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No