



CRM-M-54672-2024

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

CRM-M-54672-2024

Date of Decision: 05.11.2024

Ajaydeep Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 24.09.2024 (Annexure P-9) passed by learned Judge, Special Court, Kapurthala in FIR No.46, dated 26.05.2022 registered under Sections 22, 29 of NDPS Act, at Police Station Fattu Dyinga, District Kapurthala, bail and bail/surety bonds of the petitioner have been cancelled.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He submits that petitioner was granted bail by the learned trial Court on 28.06.2022 and thereafter, he was regularly appearing before the Court. He submits that due to mis-communication with his counsel, the petitioner could not appear before the trial Court on 24.09.2024 and on account of the same, his bail was cancelled and bail bonds were forfeited to the State and he was summoned through non-bailable warrants. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and condition, if any imposed by this Court.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab accepts notice on behalf



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of the State and submits that learned trial Court has rightly cancelled the bail of the petitioner as he failed to appear before it.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that due to mis-communication with his counsel as alleged by the petitioner, he could not appear before the trial Court on 24.09.2024, and due to his non-appearance, his bail was cancelled and bail bonds/surety bonds were forfeited to the State. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, the order dated 24.09.2024 is set aside subject to payment of Rs.5,000/- as cost to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh by the petitioner within a period of one week from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and produce the receipt of abovesaid cost alongwith appropriate application and the trial Court would grant him bail on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail and the order dated 24.09.2024 will come in force and present petition shall be deemed to have been dismissed.

9. The petition stands allowed in above-said terms.

05.11.2024

sharmila

Whether Speaking/Reasoned
Whether Reportable

**(RAJESH BHARDWAJ)
JUDGE**

: Yes/No
: Yes/No