



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

129

CRM-M-55617-2024

DATE OF DECISION: 21.11.2024

SACHIN ALIAS NONI

...PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. A.S. Virk, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under 528 of BNSS, 2023 for quashing of the impugned order dated 06.06.2024 (Annexure P-3) passed by the Additional District & Sessions Judge-cum- Fast Track Special Court, Sirsa, whereby the bail of the petitioner got cancelled and bonds stand forfeited to the State and warrants of arrest were issued against him in Case No. 342 of 19.10.2019. IA No. 01/2019. CNR No. HRSI010110172019, titled as 'State of Haryana Vs. Sachin @ Noni and others', in FIR No.280 registered on 28.08.2019 at PS Civil Lines, Sirsa, under Section 21 of Narcotics Drugs and Psychotropic Substances Act and also quashing all subsequent proceedings taken in pursuance thereof.

Learned counsel for the petitioner submits the petitioner could not appear in Court on the last five dates of hearings due to unavoidable personal circumstances which were unexpected and beyond



the petitioner's control. He further submits that his absence was not wilful, in fact, father of the petitioner was ill on the date of hearing, that is on 06.06.2024 and due to that he could not come to Court on that date. Thereafter, he could not get into contact with his lawyer and missed the subsequent dates of hearings and due to such non-appearance of the petitioner on 06.06.2024 the court cancelled his bail, forfeits the bond and issued notice to the surety.

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 instant petition is disposed of in the aforesaid terms and the impugned order dated 06.06.2024 (Annexure P-3) passed by the Additional District & Sessions Judge-cum- Fast Track Special Court, Sirsa along with subsequent proceedings are quashed.

(SANDEEP MOUDGIL)
JUDGE

21.11.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>