



CRM-M-56756-2024

-1-

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

CRM-M-56756-2024

Date of Decision: 14.11.2024

Sunny @ Lifafa

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Karanjeet Singh Brar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 27.05.2024 (Annexure P-4) passed by learned Judge, Special Court, Amritsar, vide which the bail of the petitioner has been cancelled and bail/surety bonds of the petitioner has also been cancelled and forfeited and he has been summoned through non-bailable warrants in case FIR No.247, dated 24.09.2021, under Section 21 of NDPS Act, 1985, registered at Police Station Maqboolpura, District Amritsar.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case on the allegation of alleged recovery of 10 grams of heroin. He submits that the petitioner was granted bail by learned trial Court on 12.10.2021 and he was duly appearing before it. He submits that however, only on one date i.e. on 27.05.2024, the petitioner failed to appear before the trial Court due to miscommunication with his counsel and on the very same date, his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be 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



CRM-M-56756-2024

-2-

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 of the State. He has opposed the submissions made by counsel for the petitioner and has submitted that the 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, the petitioner failed to appear before the trial Court on 27.05.2024 and on account of which 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 trial and face the proceedings, the order dated 27.05.2024 is set aside subject to payment of Rs.5,000/- as cost to be paid to the Punjab and Haryana High Court Bar Association Chandigarh by the petitioner within period of seven days from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

8. Needless to say that in case the petitioner fails to comply with

the abovesaid direction, this order would be of no avail to him and the order dated 27.05.2024 will come in force and the present petition shall be deemed to have been dismissed.

9. Petition stands disposed of in abovesaid terms.

14.11.2024			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No