



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

CRM-M-58494-2024

Date of Decision : **25.11.2024**

BALJEET SINGH ALIAS TIDDA

.....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The present petition has been filed seeking quashing of impugned order dated 16.07.2024 (Annexure P-4) passed by the learned Additional Sessions Judge, Sri Muktsar Sahib, whereby, the bail of the petitioner has been cancelled, and bail bonds/surety bonds have been forfeited to the State, and his non-bailable warrants have been issued, in case FIR No.104, dated 26.10.2017, registered under Section 22 of the the Narcotic Drugs and Psychotropic Substance Act, 1985, at Police Station Bariwala, District Sri Muktsar Sahib.

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail by this Court vide order dated 20.11.2017 (Annexure P-2), and since then the petitioner was regularly appearing before the learned trial Court concerned, except on one occasion i.e.dated 29.05.2019, when he remain

absent due to writing down the wrong date of hearing, and his bail was cancelled, however, he was granted the relief of anticipatory bail vide order daed 13.09.2019.

3. Thereafter, again owing to non-appearance of the present petitioner on dated 16.07.20224, the learned trial Court concerned, proceeded to cancel his bail bonds vide order even date (*supra*), and non-bailable warrants were issued against the present petitioner to secure his presence.

4. He further submits that petitioner has no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

5. *Per contra*, learned State counsel opposes the grant of relief (*supra*), to the present petitioner.

6. This Court has considered the rival submissions made by learned counsel for both the parties concerned, and has gone through the entire case file.

7. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality of the impugned order, this Court directs the petitioner to surrender before the learned trial Court concerned within 10 days from today.

8. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and furnishes fresh bail and

surety bonds, the same shall be accepted by the latter, however, subject to its own satisfaction, and the petitioner shall be released on bail.

9. In the meanwhile, the arrest of the petitioner shall remain stayed.

10. However, in case, the petitioner fails to appear before the learned trial Court concerned within 10 days from today and furnishes bail and surety bonds, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.

11. **Disposed of accordingly.**

November 25, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No