

2024.PHHC:155602



149.

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

CRM-M-58563-2024

Date of decision: 25.11.2024

Amarjit Singh @ Rohit

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Lakhwinder Singh Dandiwal, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURBIR SINGH, J.(Oral)

1. Challenge in this petition is to the order dated 12.09.2024 (Annexure P-6) passed by learned Special Judge, Fast Track under the NDPS Act, Fatehabad, vide which, bail granted to the petitioner (in case FIR No.207, dated 27.03.2017, under Section 21 of NDPS Act, Police Station Ratia, District Fatehabad) has been cancelled and bail bonds have been forfeited to the State.

2. It is submitted that the petitioner could not appear before the court as he noted down wrong date as 12.11.2024 instead of 12.09.2024. His non-appearance before the court was not intentional.

3. Heard.

4. On 12.09.2024, the following order was passed:-

“Case received by way of transfer. Be checked and registered.

Today the case is fixed for prosecution evidence. Accused Amarjit @ Rohit is absent today without any intimation. Case called several times since morning, but accused above named not turned up. It is already 12:30 P.M. No further wait is justified. Therefore, bail bonds of accused above named stands cancelled and his bonds are forfeited to the State. Let, above named accused be summoned through warrant of arrest and notice to his surety and identifier under Section 446 Cr.P.C. be issued for 19.11.2024.”

5. On 12.09.2024, learned Special Court has not passed any order to cancel the bail granted to the petitioner. The order which has been passed is that the bail bonds are forfeited to the State, which means the petitioner is still entitled for bail on his appearance or surrender, as per order whereby he was granted bail, on his furnishing fresh bail bonds. So, no further order is required to be passed in the present petition and the petitioner is directed to surrender before the trial Court within 10 days from today and on his doing so, he shall be admitted to bail on furnishing fresh bail bonds as per order vide which he was earlier granted bail.

6. Present petition stands disposed of accordingly.

(GURBIR SINGH)
JUDGE

November 25, 2024
sanjeev

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No