



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-59600-2024(O&M)
Date of Decision: 28.11.2024

GINDER SINGH @ MOGLI
STATE OF PUNJAB

....Petitioner
VERSUS
....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Manju Goyal, Advocate for the petitioner.
Ms. Ruchika Sabherwal, Sr. DAG, Punjab..

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner for quashing of order dated 30.03.2024 (Annexure P-1) passed by the Court of learned Additional District and Sessions Judge, Bathinda in case arising out of FIR No.83 dated 04.07.2018 under Section 22 of Narcotic Drugs & Psychotropic Substances Act, 1985, whereby his bail was cancelled and his personal bonds and surety bonds were forfeited to the State as well as order dated 05.10.2024, whereby his proclamation proceedings were initiated against him.
2. Learned counsel for the petitioner has submitted that the absence of the petitioner was not intentional but due to reason that he was diagnosed with Hepatitis C and was undergoing treatment. He did not receive any notice thereafter and proclamation proceedings have been initiated. It is submitted that his absence was not intentional. The petitioner is ready to join the proceedings before the learned trial Court and to abide by



terms and conditions to be imposed upon him, therefore, it is urged that impugned order be set aside.

3. Record has been perused carefully and it has been revealed that it was on account of non appearance of the petitioner, his bail was ordered to be cancelled and surety bonds stands forfeited to the State vide order dated 30.03.2024 and subsequently proclamation proceedings have been initiated against him. He has not declared proclaimed person so far. Now the matter is fixed for 09.12.2024 for recording the statement of the serving police official who published the proclamation. Though the petitioner has not produced any medical record on record to show that he was suffering from illness and was not in a position to appear before the trial Court, however, keeping in view the fact that he is ready to join the proceedings before the learned trial Court and the ultimate aim is to ensure timely disposal of the cases before the learned trial Court, the present petition is disposed of with the direction to the petitioner to surrender before the learned trial Court on or before the date fixed, i.e. **09.12.2024** and it is further ordered that on his surrender and on moving appropriate application, the learned trial Court shall admit him to bail subject to his furnishing personal as well as surety bonds to its satisfaction. However, this petition shall be deemed to be dismissed if the petitioner does not abide by this order.

28.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No