

124

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

CRM-M-64043-2023

Date of decision: 10.01.2024

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vishavjeet Singh Rishi, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 02.11.2023 Annexure P-5 whereby the bail order of the petitioner was cancelled and he was directed to be summoned through warrants of arrest by the Court of Special Judge, Ludhiana in criminal case titled as State Vs. Deepak Kumar having FIR No.288 dated 08.11.2017 under Section 22/25 of NDPS Act, Police Station City Khanna.

2. Counsel for the petitioner submits that in the present case, the petitioner was arrested by the police after the registration of the FIR but later on he was granted regular bail by the Court concerned and thereafter, the petitioner was regularly appearing before the trial Court. However, on 02.11.2023, the petitioner failed to appear in the trial Court and resultantly, his bail bonds and surety bonds were cancelled by the trial Court vide

Annexure P-5. Counsel for the petitioner submits that absence of the petitioner on the date fixed before the trial Court was not intentional and even otherwise it was first default on the part of the petitioner, who is ready to join the proceedings before the trial Court.

3. Notice of motion.
4. Mr. G.S. Sidhu, AAG, Punjab accepts notice on behalf of the State and while resisting the present petition submits that there is no illegality in the impugned order Annexure P-5 as the same was passed on account of absence of the petitioner before the trial Court on the date fixed.
5. I have considered the submissions made by counsel for the parties.
6. The present petition is hereby disposed of in the interest of justice to avoid any further delay in trial with direction to the petitioner to appear before the learned trial Court within next 7 days and on doing so, the petitioner is directed to released on regular bail by the said Court subject to its own satisfaction subject to cost of Rs.7,000/- to be deposited by the petitioner with the District Legal Services Authority, concerned.

10.01.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No