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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59268-2024
DECIDED ON: 05.12.2024

GURPREET SINGH @ GOPI @ GURPREET

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajat Dogra, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 for quashing of impugned order dated 18.07.2024 (Annexure P-3) vide which the bail order of the petitioner stands cancelled and he has been summoned through non-bailable warrant in FIR No.125 dated 30.07.2017 (Annexure P-1), under Sections 21 and 29 of NDPS Act, 1985, registered at Police Station Division B, Amritsar, District Amritsar.

2. Learned counsel for the petitioner submits that on 18.07.2024, the petitioner could not appear before the trial Court, as he has noted down wrong date of hearing as 08.08.2024 and due to this reason, the bail bonds and surety bonds were cancelled and he has been summoned through non-bailable warrants. He further submits that the absence of the petitioner is neither intentional nor deliberate, but due to inadvertent error and circumstances, which were beyond his control.

3. Learned counsel for the petitioner undertakes on behalf of the petitioner that he is ready and willing to surrender before the trial Court.

4. Be that as it may, without going further into the technicalities and the legality of the order, once the petitioner is ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

5. The petitioner shall surrender before the trial Court within a period of seven days from today and in case, he move an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

6. However, this Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed.

7. As a penalty for causing delay in the trial proceedings, the petitioner penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Punjab & Haryana High Bar Association.

8. A copy of receipt qua the deposit of such cost shall be furnished before the trial Court at the time of surrender.

9. The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

05.12.2024

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>