

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

CRM-M-60919-2024
Date of Decision : **05.12.2024**

LACHMAN LAL @ MONGIPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Prateek Pandi, 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 05.08.2024 (Annexure P-12) passed by the learned Judge, Special Court, Kapurthala, (hereinafter referred to as 'the learned trial Court concerned'), whereby, the bail of the petitioner has been cancelled, and his bail bonds/surety bonds have been forfeited to the State, and he has been ordered to be summoned through non-bailable warrants, in case FIR No.88, dated 03.09.2021, registered under Sections 21/29 of the the Narcotic Drugs and Psychotropic Substance Act, 1985, at Police Station Bhogpur, District Jalandhar (Annexure P-1).

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail by the learned trial court concerned vide order dated 05.10.2021 (Annexure P-2), and since then the petitioner was regularly appearing

before the learned trial Court concerned, whereas, owing to his non-appearance on dated 05.08.2024 due to some mis-communication with the counsel and the accused, the learned trial Court concerned, proceeded to cancel his bail bonds, and non-bailable warrants were ordered to be 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 an 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 15 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 latter concerned, 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. The petitioner is burdened with a cost of Rs.5,000/- to be deposited with the District Legal Services Authority concerned.

11. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 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.

12. **Disposed of accordingly.**

December 05, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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