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2024-PHHC-165212



133

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

**CRM-M-62068-2024**

**Date of Decision:11.12.2024**

SHESHANT ALIAS KAKU

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Kartar Singh, Advocate  
for the petitioner.

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**KARAMJIT SINGH, J. (Oral)**

Present petition has been filed by the petitioner seeking quashing of order dated 12.09.2024 (Annexure P-2) passed by the Court of Special Judge, Fast Track, under NDPS Act, Fatehabad vide which the bail bonds of the petitioner were cancelled and he was directed to be summoned through non-bailable warrants of arrest on account of absence of the petitioner before the trial Court in criminal case having FIR No.532 dated 06.10.2022 registered under Sections 21 (B) of NDPS Act (offence under Section 27-A of NDPS Act added later on) at Police Station City Fatehabad, District Fatehabad.

2. Counsel for the petitioner, *inter alia* submits that earlier the petitioner was granted anticipatory bail by this Court vide order dated 13.07.2023 (Annexure P-3) and thereafter, the petitioner was regularly



appearing in the trial proceedings but he failed to appear before the trial Court on 12.09.2024 as he mistook the date of hearing. It is further submitted that this was the first time when the petitioner got absented from the trial proceedings and the absence of the petitioner on the date fixed before the trial Court was not intentional and he is ready to join the proceedings before the trial Court at the earliest.

3. Notice of motion.

4. Mr. Karan Garg, AAG, Haryana accepts notice on behalf of the State and submits that the petitioner got absented from the Court concerned without any intimation which resulted into passing of impugned order dated 12.09.2024 (Annexure P-2) and that there is no illegality and perversity in the impugned order dated 12.09.2024 (Annexure P-2).

5. Apparently, it appears that this was single default on part of the petitioner which resulted into passing of the impugned order (Annexure P-2).

6. In light of the above, without expressing any opinion on the merits of the case, the present petition is hereby allowed in the interest of justice and in order to avoid any further delay in the trial with direction to the petitioner to appear before the learned trial Court within next 10 days and on his doing so, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.10,000/- to be deposited by the petitioner with District Legal Services Authority concerned.



7. Needless to say that the petitioner is to remain careful in future and should appear before the trial Court on each and every date of hearing in trial.

11.12.2024

Priyanka Thakur

(KARAMJIT SINGH)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |