



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62804-2024
DECIDED ON: 13.12.2024

VIPAN KUMAR ALIAS KALI
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Neeraj Jain, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS Act, 2023 for setting aside the order dated 22.10.2024 (Annexure P-2) vide which bail order of the petitioner was cancelled and non-bailable warrants were issued against him in case FIR No.257 dated 27.10.2022 (Annexure P-1), under Section 21(b) of NDPS Act, 1985, registered at Police Station City Muktsar Sahib, District Sri Muktsar Sahib.
2. The learned counsel for the petitioner argues that the petitioner had been regularly appearing before the trial court; however, on 22.10.2024, he was unable to attend due to a miscommunication between him and his counsel. On the same day, non-bailable warrants were issued against him without any prior notice.
3. Learned counsel for the petitioner undertakes on behalf of the petitioner that he will surrender before the trial Court.

3. Without going further into the controversy, 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.
4. The petitioner shall surrender before the trial Court within a period of 7 days from today and in case, he moves 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 is penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Chandi Kusht Asshram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C Chandigarh.
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

13.12.2024

Meenu

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