



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

CRM-M-304-2025

Date of decision : 09.01.2025

Gaurav Kumar

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Amandeep Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 10.09.2024 passed by Ld. Court of Additional Sessions Judge, Ludhiana, vide which the learned trial Court issued non-bailable warrants of arrests of the petitioner in case FIR No.78 dated 03.06.2017 under Sections 22, 61, 85 of NDPS Act, registered at Police Station Dugri, District Ludhiana.

2. It has been contended by counsel for the petitioner that in the above said case, the petitioner was regularly appearing before the trial Court. However, petitioner noted the wrong date of hearing as 09.10.2024 instead of 10.09.2024 and because of this, he remained absent from the Court on 10.09.2024 and his bail order was cancelled. He submits that the petitioner has no criminal antecedents and he is ready to join the proceedings and abide by the terms and conditions of bail, imposed by the Court.

3. Notice of motion.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted of the petitioner who remained absent on 10.09.2024 without any valid reason.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on 10.09.2024 and his bail was cancelled and bail bonds were forfeited to the State and non-bailable warrants were issued against him. The reason for his absence was given that he wrongly noted down the date of hearing as 09.10.2024 instead of 10.09.2024. The petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 10.09.2024 is *set aside* subject to payment of Rs.5,000/- as costs to be deposited in the Poor Patients’ Welfare Fund, PGIMER, Chandigarh by the petitioner in one week from today. In case, the petitioner appears before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 10.09.2024 would automatically come in force.

09.01.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE