

2025:PHHC:003567



134.

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

CRM-M-1051-2025

Date of decision: 13.01.2025

Sukhpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rahul Rampal, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is seeking quashing of impugned order dated 05.04.2024 (Annexure P-9) passed by learned Additional Sessions Judge, Sri Muktsar Sahib, vide which the bail of the petitioner was cancelled and his bail bonds and surety bonds were forfeited to the State and non-bailable warrant of arrest were issued against him in case FIR No.54, dated 28.07.2016, under Section 21 of the NDPS Act, 1985 (Sections 61/85 of NDSP Act, 1985 added lateron), registered at Police Station Kothbhai, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court on 05.04.2024 for the reason that on the said date, his case was transferred from one court to another and he, being liberated, could not trace the case. Learned counsel submits that the petitioner is ready and willing to appear and surrender before the Trial

Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and directions be given to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Senior DAG, Punjab accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with the following directions:

The petitioner is to appear and surrender before the trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. This is contingent upon the petitioner paying a cost of Rs.15,000/- to be deposited with the District Legal Services Authority concerned.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2025

sanjeev	Whether speaking/reasoned:	Yes/No
	Whether reportable:	Yes/No