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

**CRM-M No.2182 of 2025
Date of decision : 16.01.2025**

Balwinder Singh**.....Petitioner**

versus

State of Haryana**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Mohit Kakkar, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of order dated 10.07.2024 (Annexure P-1) passed by the learned Additional Sessions Judge/FTSC, Sirsa along with all subsequent orders in pending trial bearing No.NDPS/185/2024 dated 14.05.2024 in FIR No.418, dated 01.10.2023, under Section 15 of NDPS Act, 1985, registered at Police Station Dabwali Sadar, District Sirsa, Haryana (Annexure P-2) whereby the bail order of the petitioner was cancelled and bail bonds and surety bonds are forfeited and warrants of arrest of the petitioner were issued and now trial is pending for 23.01.2025. Further prayer has been made seeking permission from this Hon'ble Court to appear before the trial Court on or before the next date of hearing and to furnish fresh bail bonds and surety bonds.

2. It has been submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the present case, however he was granted bail by the learned trial Court vide order dated 02.11.2023. He has submitted that the petitioner was duly appearing before the trial Court. He has submitted that the petitioner was not aware about the next date of hearing, so he failed to appear only on one date i.e. 10.07.2024, then his bail is cancelled and bail bonds/surety bonds were forfeited to the State. He has further submitted that warrant of arrest was issued against the petitioner for 23.01.2025. He has submitted that absence of the petitioner before the learned trial Court was neither intentional nor willful and he is ready and willing to appear before the trial Court and join the proceedings.

3. Notice of motion.

4. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the bail of the petitioner has been rightly cancelled, who remained absent from the Court on the date fixed without any valid reason.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on one date i.e. 10.07.2024 and thus, his bail was cancelled and bail bonds/surety bonds were forfeited to the State. Warrant of arrest was issued against the petitioner for 23.01.2025. The reason for his absence has been given that he was not aware about the date fixed. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 10.07.2024 (Annexure P-1) is



hereby *set aside* subject to payment of costs of Rs.5,000/- to be deposited with the Sadhna Society for the Mentally Handicapped, Sector 13, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders 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.

6. 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 10.07.2024 would come in force and the present petition would be deemed to have been dismissed.

16.01.2025
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(RAJESH BHARDWAJ)
JUDGE

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