



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

111

**CRM-M-2673-2025
Decided on : 18.01.2025**

Pritam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Digvijay Nagpal, Advocate for
Mr. Vishal Mittal, Advocate for the petitioner.

SANJAY VASHISTH, J. (Oral)

1. By way of present petition filed under Section 528 of BNSS., petitioner is seeking quashing of impugned order dated 03.10.2024 (Annexure P-4), passed by Ld. Additional District and Sessions Judge, Sir Muktsar Sahib, whereby the bail order dated 26.09.2019 (P-2) of the petitioner has been cancelled and non-bailable warrants have been issued against the petitioner in case FIR No.108 dated 09.07.2019, under Section 22 of the NDPS Act, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that as per the case of the prosecution the alleged recovery from the petitioner was 170 tablets of tramadol, which is non-commercial quantity and the petitioner was granted anticipatory bail vide order dated 26.09.2019 by learned Additional Sessions Judge, Sri Muktsar Sahib. Learned counsel for the petitioner further contends that after granting of anticipatory bail the petitioner had appeared before trial Court on each and every date, however, it was only once he could not appear on 03.10.2024. Counsel further submits that instead of 03.10.2024 petitioner



CRM-M-2673-2025

- 2 -

had noticed the date 03.12.2024, under misconception, wrong date was noticed/understood by him and therefore, he could not appear before the trial Court on the date fixed i.e. 03.10.2024 and resultantly, his bail bonds/surety bonds were cancelled and forfeited.

3. Learned counsel for the petitioner further submits that the non-appearance of the petitioner before learned Trial Court was neither intentional nor deliberate, but it happened due to noticing of a wrong date by the petitioner.

4. Notice of motion.

5. On advance notice, Mr. Amandeep Singh, DAG, Punjab appears on behalf of respondent-State.

A copy of the complete paper book has been supplied to him by learned counsel for the petitioner.

Learned State counsel submits that the petitioner is involved in a serious offence under NDPS Act and despite of granting bail by learned trial Court, he has misused the concession, therefore, petitioner is not entitled for any leniency and prays for dismissal of the present petition.

6. For deciding the present petition, this Court does not find any strong reason to invite any written response from the respondent.

7. This Court is also of the view that paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigations, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.

8. Therefore, in the totality of circumstances, I am of the opinion that an opportunity shall be granted to the petitioner to appear before the trial Court and

**CRM-M-2673-2025****- 3 -**

it is directed that if petitioner on his own appears before the learned trial Court on or before 05.02.2025, he would be released on bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner would submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

9. In view of above, **the present petition is allowed.**

10. Needless to mention here that on compliance of all the conditions mentioned here-in-above, impugned order dated 03.10.2024 (Annexure P-4) and the subsequent orders would become inoperative *qua* the petitioner.

(SANJAY VASHISTH)
JUDGE

January 18, 2025***rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No