



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

303

CRM-M-2970-2025 (O&M)
Date of Decision : 06.02.2025

Baksho

-Petitioner

V/S

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Sunil Kumar Rohilla, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

1. By way of instant petition filed under Section 528 of BNSS, the petitioner has challenged the impugned order dated 12.11.2024 (Annexure P-4) passed by learned Judge Special Court, Jalandhar, vide which the bail of the petitioner has been cancelled and her bail bonds and surety bonds were ordered to be forfeited to the State in case bearing FIR No.227 dated 10.10.2019, registered under Section 22 of NDPS Act, at Police Station Shahkot, District Jalandhar.

2. Learned counsel for the petitioner, *inter alia* contends that in compliance of the order dated 20.01.2025, petitioner appeared before the learned trial Court on 24.01.2025 and furnished requisite bail bonds, surety bonds and placed on record copy of order dated 24.01.2025 passed by learned Addl. Sessions Judge, Jalandhar. He contends that since the



petitioner has joined the trial Court proceedings, as such the order dated 12.11.2024 (Annexure P-4) passed by learned Judge Special Court, Jalandhar, vide which the bail of the petitioner has been cancelled and her bail bonds and surety bonds were ordered to be forfeited to the State, be quashed.

3. Learned State counsel has not disputed the aforesaid factual matrix of the case and submits that petitioner appeared on 24.01.2025 before the learned trial Court and furnished requisite bail bonds.

4. Heard.

5. During the course of proceedings, following order was passed on 20.01.2025 :-

“By way of instant petition filed under Section 528 of BNSS, the petitioner has challenged the impugned order dated 12.11.2024 (Annexure P-4) passed by learned Judge Special Court, Jalandhar, vide which the bail of the petitioner has been cancelled and her bail bonds and surety bonds were ordered to be forfeited to the State in case bearing FIR No.227 dated 10.10.2019, registered under Section 22 of NDPS Act, at Police Station Shahkot, District Jalandhar.

2. It is inter alia contended by learned counsel for the petitioner that the petitioner after having been arrested in the present FIR (Annexure P-1), she was granted the concession of bail vide order dated 11.12.2019 (Annexure P-2) passed by learned Additional District and Sessions Judge-V, Jalandhar and thereafter the petitioner had been regularly appearing before the concerned Court on each and every date of hearing. He contends that during the course of trial on 12.11.2024, the petitioner could not appear before the learned trial Court, having noted down the wrong date of hearing, leading the



learned trial Court to cancel her bail bonds and ordered non-bailable warrants of arrest against her for 11.04.2025. He further contends that the absence of the petitioner on 12.11.2024 was not intentional but on account of the fact that she has noted down the wrong date of hearing and if granted concession of bail, she will regularly appear on each and every date of hearing before the learned trial Court.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and has not disputed the factual matrix.*

5. *Considering the facts and circumstances and without commenting on the merits of the case, the petitioner is hereby directed to appear before the learned Trial Court/Judge on duty within seven days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the concerned trial Court/Judge on duty. The petitioner is further directed to furnish specific undertaking before the concerned Court that she will regularly appear on each and every date of hearing and in case of any exigency, she will seek exemption from the Court in accordance with law.*

6. *List on 06.02.2025.”*

6. Keeping in view the fact that the petitioner has already appeared on 24.01.2025 before the learned trial Court and furnished her requisite bail/surety bonds consequent to the order dated 20.01.2025, passed by this Court, the present petition is allowed and order dated 12.11.2024 (Annexure P-4) passed by learned Judge Special Court, Jalandhar, vide which the bail of the petitioner has been cancelled and her bail bonds and



surety bonds were ordered to be forfeited to the State, is hereby set aside and the interim bail granted vide order dated 20.01.2025 is hereby confirmed.

7. The petition stands disposed of.

06.02.2025
Satyawar

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No