



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

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CRM-M-4515-2025

*Date of decision: 27.01.2025***Major Singh***.....Petitioner**Versus***State of Punjab***.....Respondent***CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Ajay Singh Pundir, Advocate for the petitioner.
Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS 2023 for quashing of order dated 12.11.2024 (Annexure P-2) whereby bail of the petitioner has been cancelled as well as order dated 20.01.2025 (Annexure P-3) issuing non-bailable warrants of arrest by the trial Court in FIR No.203 dated 13.09.2023 under Sections 22,29,61,85 of NDPS Act, 1985, registered at P.S City Rupnagar, District Rupnagar.

Learned counsel for the petitioner submits that on one of the dates, the petitioner could not appear in Court on account of his ill-health as he had gone to the Civil Hospital, Rupnagar for check-up and getting his tests conducted. The Trial Court cancelled the bail of the petitioner and issued non-bailable warrants of arrest vide the impugned order. He submits that the petitioner had no intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.



On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited in the Chandi Kusht Asshram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

27.01.2025
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1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No