



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

253

**CRM-M-4137-2025 (O&M)
Date of Decision:- 21.02.2025**

AJAYPAL SINGH ALIAS AJAY

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Mandeep Kumar, Advocate for
Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition preferred under Section 528 of BNSS, 2023 the petitioner has sought quashing of impugned order dated 03.09.2024 (Annexure P-1) passed by the Court of learned Judge, Special Court, Amritsar whereby the the bail bonds and surety bonds of the petitioner were cancelled and forfeited to the State and non-bailable warrants were issued against him in case FIR No.160 dated 11.11.2022 registered under Section 22 of The Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Raja Sansi, District Amritsar Rural.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 04.02.2025 passed by this Court, the petitioner has appeared in the Court and furnished his requisite bail bonds. He has



placed on record copy of the order dated 06.02.2025, passed by learned Additional Sessions Judge, Amritsar whereby the petitioner has been admitted on interim bail by the learned trial Court.

3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 04.02.2025, the following order was passed.

“3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been nominated in case FIR (supra), was granted concession of bail and vide order dated 09.01.2023 and his presence was exempted till presentation of the challan with the stipulation that as and when the challan is presented, the Court will issue notice to the accused for appearance. However, after presentation of challan, no such notice was ever received by the petitioner and the learned Trial Court proceeded to cancel the bail and issued non bailable warrants of arrest vide impugned order dated 03.09.2024 (Annexure P-1). He contends that presently, the matter is pending for 05.04.2025 for presence of the petitioner and the petitioner is ready to appear before the learned Trial Court and face the trial by submitting that non appearance of the petitioner was not intentional but on account of non receipt of any notice in this regard.

4. Notice of motion, returnable for 21.02.2025.

5. On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, who is present in Court, accepts notice and does not dispute the factual matrix of the case.

6. Keeping in view the above facts and circumstances, the petitioner is directed to appear before the learned Trial Court/Judge on duty/Duty Magistrate within a period of 07 days from today and in that event, learned Trial Court/Judge on duty/Duty Magistrate will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds.

7. The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the



concerned Court qua his exemption to appear on the date fixed.”

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 04.02.2025, passed by this Court, the present petition is allowed. The order dated dated 03.09.2024 (Annexure P-1) passed by learned Judge, Special Court, Amritsar is set aside and the interim bail granted vide order dated 04.02.2025 is hereby confirmed.
7. The petition stands allowed.
8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

21.02.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No