



CRM-M-7001-2025

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

CRM-M-7001-2025 (O&M)

Date of Decision: 06.02.2025

Sital Singh @ Sheetal Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rakesh Kumar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 16.11.2023 (Annexure P-2) and order dated 20.11.2024 (Annexure P-3), whereby, bail order and bail bonds of the petitioner have been cancelled and non-bailable warrants alongwith proclamation has been issued in a case FIR No.217 dated 13.09.2018, under Sections 20, 21 of NDPS Act, registered at Police Station Kotwali Kapurthala, District Kapurthala.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner was granted regular bail by learned trial Court vide order dated 01.12.2018 and thereafter, he was regularly appearing before it. He has further submitted that on 16.11.2023, he appeared before the Court at about 12:00 p.m., however, his presence was not marked on the said date and his bail was ordered to be cancelled and non-bailable warrants were ordered to be issued against him. He further submits that after issuance of non-bailable warrants, the petitioner got ill, due to which he could not appear before the Court on 20.11.2024, on which date proclamation was issued against him. He submits that absence of the petitioner was totally



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unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions, if any imposed by this Court.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and has opposed the submissions made by counsel for the petitioner. He has submitted that learned trial Court has rightly cancelled the bail of the petitioner, as he intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner on 16.11.2023, his bail was cancelled and his bail bonds/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants and thereafter, on 20.11.2024, proclamation was ordered to be issued against him. In these circumstances, when the petitioner is ready to join the trial and face the proceedings, the orders dated 16.11.2023 and 20.11.2024 are set aside subject to payment of Rs.10,000/- as costs to be paid to Gurudwara Sri Guru Singh Sabha, (registered) Sector -7C, Chandigarh by the petitioner within period of seven days from today.

6. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the

petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the orders dated16.11.2023 and 20.11.2024 will come in force and the present petition shall be deemed to have been dismissed.
8. Petition stands disposed of in abovesaid terms.

06.02.2025

sharmila

Whether Speaking/Reasoned

Whether Reportable

:

:

Yes/No

Yes/No

(RAJESH BHARDWAJ)

JUDGE