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

1. CRM-M-7261-2025

RANI ALIAS RANO

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

2. CRM-M-9822-2025

KINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

3. CRM-M-12134-2025

INDERJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

Decided on : 22.07.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Prateek Pandit, Advocate,
for the petitioner(s) (in CRM-M-12134-2025).

Ms. Bhupinder Kaur, Advocate,
for the petitioner(s) (in CRM-M-7261 and 9822 of 2025).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Petitioners, namely, Rani @ Rano (in CRM-M-7261-2025)
and petitioner namely Kinder Singh (in CRM-M-9822-2025), have filed
the petitions, challenging the impugned order dated 16.11.2023 passed by
learned Trial Court in case NDPS-465-2020, titled "State of Punjab vs.



Kinder Singh and others”, arising out of FIR No. 0116 dated 09.06.2020, registered at Police Station Kotwali, Kapurthala, under Sections 22, 29, 61, and 85 of the NDPS Act, whereby learned Trial Court has cancelled and forfeited the petitioners’ bail bonds and surety bonds, and has also issued non-bailable warrants of arrest against them. Petitioners have assailed both the cancellation and forfeiture of the bonds, as well as issuance of non-bailable warrants, through present petitions.

Further quashing and setting aside of order dated 11.10.2024 has been sought by the petitioners, whereby learned Judge, Special Court, Kapurthala, ordered to serve the petitioners through proclamation under Section 82 of Cr.P.C.

2. Petitioner namely Inderjit Singh has filed the petition i.e. CRM-M-12134-2025, for quashing of the order dated 11.10.2024 passed by learned Special Court, Kapurthala, in case FIR No.116 dated 09.06.2020 under Sections 22 and 29 of NDPS Act, registered at Police Station Kotwali, District Kapurthala, whereby learned trial Court has cancelled his bail and ordered for proclamation under Section 82 Cr.P.C. against the petitioner.

3. Counsel for the petitioners submits that there are total five accused in the case, namely Balwinder Singh, Inderjit Singh, Sarabjit Singh, Rani @ Rano, and Kinder Singh. All the accused were granted the concession of bail at the very outset during the course of the trial. However, on 16.11.2023, all of them were absent during the court proceedings. It is submitted that their absence was not deliberate but



occurred due to miscommunication with the counsel who was representing them before the trial Court.

4. Further submits that vide order dated 10.02.2025 (passed in CRM-M-7261-2025), order dated 21.02.2025 (passed in CRM-M-9822-2025) and order dated 05.03.2025 (passed in CRM-M-12134-2025), interim direction *qua* the petitioners were issued, to join the proceedings and then to release them on interim bail by the trial Court.

5. For reference, order dated 10.02.2025 passed in CRM-M-7261-2025 is reproduced here under:-

“Counsel for the petitioner, inter alia, contends that non-appearance of the petitioner on 16.11.2023 was not intentional; rather on account of some communication gap with her counsel appearing before learned Special Court.

Notice of motion.

Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of the respondent-State and seeks time to have instructions and/or to file written response in the matter.

Posted for 11.03.2025.

To be heard along with CRM-M-2969-2025.

In the meanwhile, petitioner shall join proceedings before the learned Special Court, Kapurthala and in the event of doing so, she be released on interim bail in the present case on furnishing adequate bail and surety bonds subject to its satisfaction.”

6. For reference, order dated 05.03.2025 passed in CRM-M-12134-2025 is reproduced here under:-

“Contends, inter alia, that co-accused, namely, Balwinder Singh has already been granted interim protection by this Court on 24.01.2025 in CRM-M-2969-2025.

Notice of motion.

Mr. Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 11.03.2025.



In the meanwhile, petitioner shall join proceedings before learned Special Court and in the event of doing so, he be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to its satisfaction.

To be heard along with CRM-M-2969-2025.”

7. For reference, order dated 21.02.2025 passed in CRM-M-9822-2025 is reproduced here under:-

“Contends, inter alia, that non-appearance of the petitioner on 16.11.2023 was not intentional; rather on account of some communication gap with his counsel appearing before learned Special Court.

Notice of motion.

Mr.Kunwarbir Singh, AAG, Punjab accepts notice on behalf of respondent-State; seeks time to have instructions and/or to file written response in the matter.

Posted for 11.03.2025.

To be heard alongwith CRM-2969-2025.

In the meanwhile, petitioner shall join proceedings before the learned Special Court, Kapurthala and in the event of doing so, he be released on interim bail in the present case on furnishing adequate bail and surety bonds subject to satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate.”

8. Counsel for the petitioners has produced copies of the orders dated 21.02.2025 and 06.05.2025 passed by the concerned trial Court and submits that, in compliance with the directions issued by this Court, petitioners Rani @ Rano, Kinder Singh, and Inderjit Singh have already appeared before the trial Court. Since their appearance, they have been regularly attending the court proceedings and are continuously joining the trial.

9. In this context, counsel further submits that default in appearance on 16.11.2023 was not intentional on the part of any of the



petitioners. The absence occurred solely due to miscommunication, and it was on this account that all the accused, who had been granted the concession of bail by this Court, failed to appear and were consequently marked absent, leading to the cancellation of their bail.

10. On the other hand, learned State counsel has filed status report in the Court today and the same are taken on record.

11. Learned State counsel disputes the contention addressed by counsel for the petitioners, and submits that as per the status report, position is different to what has been stated by counsel for the petitioners. However, learned State counsel is unable to counter the fact recorded in the *zimni* orders produced today before this Court, wherein it has been specifically mentioned that petitioners have already appeared, in compliance to the direction issued by this Court.

12. Be that as it may, in view of the fact that, in compliance with the directions dated 10.02.2025 passed in CRM-M-7261-2025, 21.02.2025 passed in CRM-M-9822-2025, and 05.03.2025 passed in CRM-M-12134-2025 by this Court, petitioners have already put in their appearance before learned trial Court and have undertaken not to remain absent in future so as to avoid any delay in the proceedings, this Court deems it appropriate to confirm the interim directions issued on the aforementioned dates in the respective petitions. It is clarified that petitioners would furnish fresh bail bonds, if so required by learned trial Court.

13. Accordingly, present petitions are allowed. However, it is clarified that, in the event petitioners remain absent from the proceedings



without obtaining prior permission of learned trial Court, such absence shall be viewed seriously, and in that eventuality, benefit of bail granted by this Court to the petitioners shall become inoperative.

14. With the reasons recorded here above, present petitions stand disposed of.

15. A photocopy of this order be placed on the files of other connected cases.

22.07.2025
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>