



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

257

**CRM-M-7369-2025 (O&M)
Date of Decision:- 21.02.2025**

ASHOK SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Abhaysher Singh, 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 01.02.2025 (Annexure P-7) passed by the Court of learned Judge, Special Court, Fazilka, whereby the bail bonds/surety bonds of the petitioner were cancelled and forfeited to the State and non-bailable warrants were issued against the petitioner in case No.NDPS-184-2024 titled 'State of Punjab vs. Ashok Singh' arising out of FIR No.20 dated 10.03.2024 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Vairoke, District Fazilka.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 10.02.2025 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 17.02.2025, passed by learned Judge, Special Court, Fazilka 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 10.02.2025, the following order was passed.

“2. It is inter alia contended by learned counsel for the petitioner that the petitioner after having been arrested in case bearing FIR No.20 (Annexure P-1) dated 10.03.2024 registered under Section 21 of NDPS Act, P.S. Vairo Ke, District Fazilka, the petitioner was granted concession of bail vide order dated 09.04.2024 (Annexure P-2) passed by learned Judge, Special Court, Fazilka and thereafter petitioner had been regularly appearing before the learned Trial Court.

3. Learned counsel for the petitioner further contends that the petitioner was nominated in another FIR bearing No.99 dated 26.10.2024 registered under Section 21 of NDPS Act P.S. Sadar Jalalabad, District Fazilka and on this account, the petitioner through his counsel did not seek exemption from the learned Trial Court so as to avail the legal remedy in the subsequent FIR wherein, he has now been granted concession of bail vide order dated 04.02.2025 (Annexure P-8) passed by this Court in case CRM-M-3110-2025.

4. Learned counsel for the petitioner further contends that in the meanwhile, due to absence of the petitioner on 01.02.2025, the learned Trial Court cancelled his bail bonds/surety bonds and issued non-bailable warrants of arrest for 01.05.2025 vide order Annexure P-7 (supra) and feeling aggrieved by the same the petitioner has come to this Court by way of the present petition.

5. Notice of motion.

6. On the asking of the Court, Mr. Jatinderpal Singh, Sr. DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and has not disputed the factual matrix of the case.



7. List on 21.02.2025.

8. *In the meanwhile, the petitioner is directed to appear before the learned Trial Court within 07 days from today and in that event the petitioner is ordered to be admitted to interim bail to the satisfaction of the learned trial Court/Duty Magistrate subject to his furnishing requisite bail bonds/surety bonds. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.*

9. *The petitioner is also burdened with costs of Rs.5,000/- to be deposited with the District Legal Services Authority, Fazilka as a condition precedent for acceptance of bail bonds/surety bonds.*

10. *In the meanwhile, operation of the impugned order (Annexure P-7) shall remain stayed.”*

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 10.02.2025, passed by this Court, the present petition is allowed. The order dated 01.02.2025 (Annexure P-7) passed by learned Judge, Special Court, Fazilka is set aside and the interim bail granted vide order dated 10.02.2025 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