



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

CRM-M-17002-2025

Date of decision : 27.03.2025

Jaspal Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

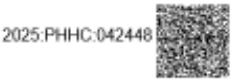
Present :- Mr. Umesh Aggarwal, Advocate for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing/setting aside order dated 25.09.2024 (Annexure P-4) passed by learned trial Court, whereby the bail order dated 24.07.2019 (Annexure P-3) was cancelled and bail bonds/surety bonds of the petitioner were forfeited on account of non-appearance in case FIR No.180 dated 05.07.2019, under Sections 21/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of NDPS Act and Sections 473 and 489 of IPC, added lateron) registered at Police Station Sadar, Amritsar. Further prayer has been made for staying the operation of order dated 25.09.2024.

2. It has been contended by counsel for the petitioner that in the above said case, the petitioner was regularly appearing before the trial Court. However, due to some ongoing family dispute, which caused significant distress and unavoidable obligations, the petitioner was unable to appear on 25.09.2024 and thus, his bail order was cancelled and forfeited the surety bonds. He submits that the absence of the petitioner was *bona fide* and not intentional. He submits that the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, imposed by the Court.

3. Notice of motion.



4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State.
5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted to the petitioner who remained absent on 25.09.2024 without any valid reason.
6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on 25.09.2024 and his bail was cancelled and bail/surety bonds were forfeited to the State. As alleged by the petitioner, due to some unavoidable circumstances, he could not appear but now he is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 25.09.2024 is *set aside* subject to payment of Rs.5,000/- as costs to be deposited in the **Poor Patients' Welfare Fund, PGIMER, Chandigarh** by the petitioner in one week from today. In case, the petitioner appears before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.
7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 25.09.2024 would automatically come in force.

27.03.2025

ps-I

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No