



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

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**CRM-M-18587-2025
DATE OF DECISION: 04.04.2025**

DAVINDER SINGH**...PETITIONER****Versus****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. M.R. Sharma, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS. for quashing of order dated 27.02.2025 Annexure P-3 in which the non-bailable warrant were issued against the petitioner in case bearing FIR No.0025 dated 21.03.2021 Under Sections 21/29/61/85 of NDPS Act, Police Station Rangar Nangal, Gurdaspur, qua the petitioner.

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 27.02.2025 as he met with an accident while coming to Court on the same date i.e. 27.02.2025 and he could not inform his counsel as he remained unconscious whole day. He further submits that the Trial Court did not consider this aspect of the case and erroneously, passed the impugned order dated 27.02.2025. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before



the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the impugned order dated 27.02.2025 is set aside and the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

04.04.2025
anuradha

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