



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

127

**CRM-M-18555-2025
DATE OF DECISION: 04.04.2025**

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

Present: Mr. H.S. Bedi, Advocate and
Mr. Jatinder Singh, 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 BNSS for quashing the impugned order dated 10.10.2024 (Annexure P-3) passed by the Judge Special Court, Amritsar vide which the bail has been cancelled and the bail bond/surety bond are forfeited in favour of the State in FIR No.24 dated 06.02.2019, U/s 22 and 61 of NDPS Act, Police Station Kamboj, District Amritsar Rural (Annexure P-1).

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 10.10.2024 as due to miscommunication with the his counsel, the petitioner noted down wrong date of hearing, therefore, the Trial Court passed the impugned order dated 10.10.2024. 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 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 aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Employees' Welfare Association and a receipt of the same be produced before the Trial Court and only in that

eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

04.04.2025
anuradha

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