

CRM-M No. 20058 of 2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 20058 of 2025
Date of Decision: 09.04.2025

Sukha Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Chopra, Advocate
for the petitioner.

Mr. Sukhdev Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
136	22.07.2019	Sadar Samana, District Patiala	15/61/85 of NDPS Act

1. Aggrieved by the order of issuance of non-bailable warrants vide order dated 04.11.2024 in the FIR captioned above, passed by Judge, Special Court, Patiala due to the default in appearance before the trial court, the petitioner has come up before this court under section 482 BNSS, 2023.
2. Petitioner’s counsel submits that the petitioner was earlier on bail and on 04.11.2024, due to non-appearance of petitioner, the trial Court proceeded by issuing non-bailable warrants against him. Counsel for the petitioner submits that petitioner wants to surrender before the majesty of Court.
3. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.
4. The primary object of service is to secure the accused's presence in trial. The petitioner has approached this court on its own, establishing the bonafide at this stage. Without commenting on the case's merits, and in the facts and circumstances peculiar to this case, and also for the reasons mentioned above, the ends of justice would

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meet. Furthermore, without adjudicating the maintainability of this petition under section 482 BNSS and leaving that question open; given the explanation offered by the accused coupled with the facts and circumstances peculiar to this case, a balanced approach would work as an incentive, a catalyst, speeding up the process, and bringing the guilty to Justice and Justice to the guilty. Thus, exercising the inherent powers under section 528 r/w 482 BNSS, this court deems it appropriate to grant the following limited relief to the petitioner, subject to compliance with the conditions mentioned in this order.

5. Counsel for the petitioner submits that he will be appearing before the concerned Court and till then, non-bailable warrants be kept in abeyance and he will take appropriate legal remedies.

6. Given above, let the petitioner appear before the concerned trial Court on or before 30.04.2025 at 02.00 PM subject to payment of cost(s) of Rs.5000/- to Poor Patient Welfare Fund, PGIMER, Chandigarh. Till then, all the warrants issued against the petitioner in this FIR shall remain stayed.

7. On his appearance, trial court shall release the petitioner on bail on the same day as he was earlier on bail in this case on furnishing usual bonds to its satisfaction, keeping in view his past conduct. In case, petitioner fails to appear before the trial Court by the given date, in that eventuality, this order shall stand re-called automatically on 30.04.2025 after 2 PM.

8. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

9. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

10. Petition allowed to the extent and subject to the conditions mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

09.04.2025

Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.