

2025:PHHC:049923



CRM-M-20071-2025

Date of Decision:09.04.2025

VARINDER SINGH @ RICKY

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Saurav Bhatia, Advocate
for the petitioner.SANDEEP MOUDGIL, J. (Oral)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023, praying for quashing impugned order dated 24.03.2025 (Annexure P-4) passed by the Judge Special Court, Jalandhar in case no NDPS/222/2022 in FIR No. 147 dated 01.11.2022 under Section 21 of NDPS Act 1985 registered at Police Station Navi Baradari District Jalandhar vide which the bail order of petitioner is cancelled and bail bonds and surety bonds of petitioner were cancelled and forfeited to the State and non-bailable warrants of arrest of petitioner were issued for 08.05.2025.

Learned counsel for the petitioner submits that the petitioner inadvertently noted the wrong date as 25.03.2025 instead of 24.03.2025 and for the same he could not appear on the said date i.e 24.03.2025 before the trial Court. He further submits that the petitioner did not have any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the trial Court. He undertakes that the petitioner will surrender before the trial Court and shall join the proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, AAG Punjab 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 for the petitioner 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 Employee's Welfare Association and a receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner seeking bail may 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 from the trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

09.04.2025

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