



CRM-M-22392-2025

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

CRM-M-22392-2025

Date of Decision: 29.04.2025

Bhupinder Singh @ Bhaau

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Karan Chaudhary, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 20.11.2024 (Annexure P-3) passed by learned Additional Sessions Judge, Amritsar, whereby, bail of the petitioner has been cancelled and non-bailable warrants of arrest have been issued against him in a case FIR No.60 dated 24.04.2018, under Sections 22/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jandiala, District Amritsar.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that after having been released on bail, the petitioner was regularly appearing before the trial Court. He submits that due to his health problem, the petitioner remained admitted in hospital and due to which he could not appear before the trial Court and his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants vide impugned order (Annexure P-3). He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner



is ready to appear before the trial Court and abide by all the terms and conditions, if any imposed by this Court.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and has opposed the submissions made by counsel for the petitioner. He has submitted that learned trial Court has rightly cancelled the bail of the petitioner, as he intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner on 20.11.2024, his bail was cancelled and his bail bonds/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. The reason for non-appearance before the Court on the date fixed, as given by the petitioner is his admission in hospital due to his health problem. This Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct the petitioner to appear before the trial Court concerned to face the trial in the present case. In these circumstances, when the petitioner is ready to join the trial and face the proceedings, the order dated 20.11.2024 is set aside subject to payment of Rs.15,000/- as costs to be paid to the **Day Care Centre for Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh** by the petitioner within period of seven days from today.

6. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of abovesaid costs and the trial Court would grant him

bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 20.11.2024 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

29.04.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No