



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

**CRM-M-31030-2025
DECIDED ON: 01.07.2025**

VED PARKASH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kamal Narula, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for quashing of the order dated 19.12.2024 (Annexure P-5) passed by the Learned Additional Session Judge, Fast Track Court, Sirsa, in which non bailable warrants were issued against the petitioner in FIR No.233 dated 14.07.2020, under Section 21 of NDPS Act, registered at Police Station Sadar Sirsa, District Sirsa, Haryana (Annexure P-1), in the interest of justice, equity and fair play.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the learned Trial Court. However, on 19.12.2024, he was unable to appear as he is a driver by profession and had travelled out of station in connection with his livelihood. Due to his absence on the said date, non-bailable warrants were issued against him. It is submitted that the petitioner's non-appearance was neither intentional nor willful, but occurred solely due to the aforesaid reason.

Learned counsel for the petitioner though at the outset without contesting the order dated 19.12.2024 (Annexure P-5) on merits undertakes to join the trial proceedings within one week.

Notice of motion.

Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent/State and not averse to the undertaking given on behalf of the petitioner.

Without addressing the merits of the case or the legality of the order, as the same has not been contested by the learned counsel for the petitioner, who has voluntarily agreed to join the proceedings before the trial court and to pay a penalty of Rs. 20,000/- to the Punjab & Haryana High Court Bar Association for causing unwarranted delay in the trial proceedings, the order dated 19.12.2024 (Annexure P-5) is hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender within one week. In case, if any application seeking regular bail is moved by the petitioner, the same be considered by the Court below preferably on that very 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 petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

01.07.2025

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