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

**CRM-M-37940-2024  
DECIDED ON: 28.02.2025**

**ROSHAN MASIH****.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. R.K. Arya , Advocate  
for the petitioner.

Mr. Rajiv Verma, DAG Punjab

**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., for quashing of order dated 27.10.2023 passed by learned Judge, Special Court, Gurdaspur (Annexure P-2) in case FIR No.0004 dated 12.01.2022 (Annexure P-1) registered under Section 21(b) of NDPS Act, 1985 at Police Station Dhariwal, District Gurdaspur, vide which bail bond and surety bond of the petitioner has been cancelled and forfeited to the State.

Learned counsel for the petitioner submits that the petitioner has been regularly appearing before the trial Court; however, he was unable to appear on a subsequent occasion due to the ill health of his wife, resulting in the forfeiture of his bail bonds and non-bailable warrants has been issued against him.

Learned counsel for the petitioner submits that the absence of the petitioner was neither intentional nor deliberate. He undertakes on behalf of

the petitioner that he is ready and willing to surrender before the trial Court and join the trial proceedings.

In the light of above, the impugned order dated 27.10.2023 passed by learned Judge, Special Court, Gurdaspur (Annexure P-2), is quashed and the petitioner is directed to surrender before the trial Court within a period of 10 days from today and in case, he moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

However, the above-said order will be subject to the undertaking given on behalf of the petitioner that he will surrender before the trial Court and join the trial proceedings.

The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)  
JUDGE

28.02.2025

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |