



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

127

CRM-M-36809-2025

Date of decision: 16.07.2025

Sunil @ Sunil Pal Sarohe @ Michal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Munish Kamboj, 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 31.05.2025 (Annexure P-1) passed by the Learned Special Judge, Fast Track under NDPS Act, Fatehabad vide which the bail order of the petitioner has been cancelled and bail bonds and surety bonds have been forfeited to the State besides issuing warrant of arrest in case bearing No.NDPS-111-202 titled as State of Haryana vs. Ajay @ Ajju etc arising out of FIR No.327 of 2020 under Sections 21b of NDPS Act registered at P.S City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the learned Trial Court. However, on 31.05.2025, since the petitioner was lodged in jail in another FIR, he could not cause appearance before the trial Court. Due to his absence on the said date, nonbailable warrants were issued against him. It is submitted that the petitioner's nonappearance 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 31.05.2025 (Annexure P-1) 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. 15,000/- to the Punjab & Haryana High Court Bar Association for causing unwarranted delay in the trial proceedings, the order dated 31.05.2025 (Annexure P-1) 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

16.07.2025
manoj

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No