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

**CRM-M-38237-2025
DECIDED ON: 21.07.2025**

MANGAT ALIAS MANGA**.....PETITIONER**

VERSUS

STATE OF HARYANA**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Harshit Ahuja, Advocate and
Mr. Pulkit Mago, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNS, 2023 for setting aside the impugned order dated 07.05.2025 (Annexure P-4) passed by the Ld. Addl. Sessions Judge, Fatehabad in case No.SC-47-2021 titled as "*State Vs. Sanjay alias Sanju*" instituted on 10.03.2021 in FIR No. 264 dated 23.05.2019 U/s 21(b) /27(a) / 61/85 of NDPS Act registered at Police Station City Fatehabad, District Fatehabad. (Annexure P-1) whereby, due to non appearance of the petitioner his bail bonds were cancelled and arrest warrants were issued against the petitioner which is illegal, arbitrary, unfair and is not sustainable in the eyes of law.

Learned counsel for the petitioner submits that the petitioner appeared regularly before the Court, and on occasions when he was unable to appear, he duly filed applications for exemption and obtained leave of the Court. However, on 07.05.2025, when the petitioner failed to appear before the learned Lower Court, his bail bonds were cancelled and warrants of arrest were issued against him.

Learned counsel for the petitioner though at the outset without contesting the order dated 07.05.2025 (Annexure P-4) on merits undertakes to join the trial proceedings within ten days.

Notice of motion.

Mr. Sushil Bhardwaj, Addl. AG. 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 Lawyer's Family Welfare Fund, Account No.41564846387, IFSC Code: SBIN0050306 Bank Name-SBI High Court Branch for causing unwarranted delay in the trial proceedings, the order dated 07.05.2025 (Annexure P-4) 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 before the trial Court within ten days. If any application seeking 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

21.07.2025
Meenu

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