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

**CRM-M No.39000 of 2025  
Date of decision : 23.07.2025**

**Judge Singh @ Jaj Singh**

**.....Petitioner**

**versus**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. B. S. Bhalla, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for setting aside the order dated 24.01.2025 (Annexure P-2) vide which the bail order of the petitioner has been cancelled in FIR No.30, dated 30.01.2021, under Sections 21, 27, 29 of NDPS Act, registered at Police Station Maqboolpura, Amritsar.

2. Precise submission made by learned counsel for the petitioner is that the petitioner was prosecuted in a case bearing FIR No.30, dated 30.01.2021, under Sections 21, 27, 29 of NDPS Act, registered at Police Station Maqboolpura, Amritsar. He has submitted that after registration of the FIR, the petitioner was granted the concession of bail by the learned trial Court vide order dated 19.02.2021. He has submitted that thereafter the petitioner was regularly appearing before the learned trial Court. He has submitted that on 08.11.2024, after attending the Court proceedings,

clerk of his counsel representing him before the learned trial Court, due to mis-communication has noted the wrong date, i.e. 24.07.2025 instead of 24.01.2025 and thus, on the date fixed, i.e. 24.01.2025, the petitioner remained absent. He has submitted that due to non-appearance of the petitioner before the learned trial Court on the date fixed, i.e. 24.01.2025, his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. He has submitted that non bailable warrants were also issued against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional. He has further submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

4. On the asking of the Court, Mr. J. S. Arora, DAG, Punjab appears and accepts notice on behalf of the respondent-State. He, on the other hand, has contended that bail order of the petitioner was rightly cancelled by the learned trial Court and warrants of arrest were issued against him, as he failed to appear in the Court despite orders.

5. I have heard counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted in case bearing FIR No.30, dated 30.01.2021, under Sections 21, 27, 29 of NDPS Act, registered at Police Station Maqboolpura, Amritsar, in which bail order was cancelled and bail bonds/surety bonds were forfeited to the State. Non bailable warrants were also issued against the petitioner due to his non appearance before the learned trial Court. The reason given by the petitioner for his absence is that the clerk of the counsel representing him before the learned trial Court has noted the wrong date as 24.07.2025



instead of 24.01.2025. However, due to his non appearance, bail order of the petitioner was cancelled, bail/surety bonds were forfeited to the State and non-bailable warrants were also issued against the petitioner. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 24.01.2025 is hereby *set aside* subject to payment of costs of Rs.10,000/- to be deposited with the Spinal Rehab Centre, Sector 28-A, Madhya Marg, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 24.01.2025 would come in force and the present petition would be deemed to have been dismissed.

23.07.2025

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

(RAJESH BHARDWAJ)  
JUDGE