

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

2025:PHHC:089793



139

CRM-M-38671-2025 (O&M)

Date of decision: 22.07.2025

Kuldeep Singh @ Gunga

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Aditya Anand, Advocate for the petitioner.

Ms. Gagandeep Kaur, DAG, Punjab.

SUKHVINDER KAUR, J.(ORAL)

Present petition has been filed under Section 528, BNSS, 2023, for quashing of order dated 08.05.2025 and 01.07.2025, passed by learned Judge Special Court, Kapurthala, in case NDPS-166-2024 arising out of FIR No.295 dated 16.09.2023 under Section 21/29/61/85 of NDPS Act, 1985, registered at Police Station City Kapurthala, District Kapurthala, whereby the bail orders of the petitioner were cancelled and bail bonds were forfeited to state and non-bailable warrants have been issued against the petitioner.

The relevant facts of the present case for adjudication are that the petitioner is facing trial in the afore-said case and had been granted interim bail by the trial Court on 14.02.2024 and was made absolute vide order dated 01.03.2024. On 08.05.2025, the petitioner became absent before the trial Court and his non-bailable warrants were ordered to be

issued by the trial Court and his bail bonds and surety bonds were cancelled and forfeited to State.

It has been contended by learned counsel for the petitioner that earlier the petitioner was regularly appearing before the trial Court. The absence of the petitioner was neither intentional nor deliberate. Learned counsel has submitted that the petitioner is ready to surrender before the trial Court. Therefore, the impugned order dated 08.05.2025 be set aside.

Heard.

Considering the facts and circumstances of the present case and taking note of the fact that trial of the case is likely to take time and no useful purpose is likely to be served by sending him behind the bars, the impugned order dated 08.05.2025 is set aside. The petitioner is directed to surrender and appear before the trial Court within 10 days and on doing so, he would be released on bail on furnishing his fresh bail/surety bonds to the satisfaction of the Court concerned and with the undertaking to appear regularly before the trial Court on each and every date of hearing, subject to depositing of Rs.9,000/- with DLSA, Kaputhala.

Disposed of in the aforesaid terms.

22.07.2025
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(SUKHVINDER KAUR)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No