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

**CRM-M No.71132 of 2025
Date of Decision:29.01.2026**

Rajan**..... Petitioner****Versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Vishal Sharda, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing of impugned order dated 06.09.2024 passed by learned Additional Sessions Judge, Sirsa whereby bail order of the petitioner was cancelled and bail/surety bonds were forfeited to the State and warrants of arrest have been issued against the petitioner in case FIR No.218 dated 15.05.2024 under Sections 21/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Dabwali, District Sirsa.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in the abovesaid FIR. He submits that during the pendency of the present case, the petitioner was named in another case i.e. FIR No.382 dated 16.07.2024 under Sections 115(2), 137(2), 64, 65(1) of BNS and Section 3/4(2) of POCSO Act, registered at Police



Station Suratgarh, District Sri Ganganagar and was in custody in the same. He has submitted that due to this reason, the petitioner could not appear before the trial Court and due to his absence, the learned trial Court vide order dated 06.09.2024, cancelled the bail order of the petitioner; bail/surety were forfeited the State and warrants of arrest were issued against the him. 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. Sumit Jain, Addl. A.G., Haryana appears and accepts notice on behalf of the respondents-State. He on the other hand has contended that the trial Court has rightly cancelled the bail of the petitioner and issued warrants of arrest against the petitioner and he was liable to be prosecuted in the said case, 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 the present case. It is apparent that the petitioner remained absent despite order, on account of which, his bail order was cancelled, bail/surety bonds were forfeited to State and warrants of arrest were issued against him. The reason given by the petitioner for his absence is that he was already in custody in some other FIR. But now the petitioner is keen and ready to join the proceedings and face the trial. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated



06.09.2024 is *set aside* subject to payment of Rs.10,000/- as costs to be deposited in the ‘**High Court Employees’ Welfare Association, Chandigarh**’ by the petitioner in one week from the date of receipt of copy of this order. In case, petitioner appears before the Court concerned within a period of 10 days from the date of receipt of copy of this order 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. He will have protection from arrest for a period of 10 days from the date of receipt of copy of this order.

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 06.09.2024 would automatically come in force.

29.01.2026
ps-I

(RAJESH BHARDWAJ)
JUDGE

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