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

**CRM-M No.71334 of 2025
Date of Decision:27.01.2026**

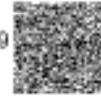
Bhajan Singh**..... Petitioner****Versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Vishneet Singh Kathpal, Advocate
for the petitioner (through V.C.).

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing of order dated 26.11.2024 passed in FIR No.319 dated 10.09.2020 under Sections 22 of NDPS Act, registered at Police Station Sadar Fazilka, District Fazilka vide which the bail as well as bail bond of the petitioner were cancelled. Further prayer has been made for staying the operation of impugned order, during the pendency of the present petition.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in the abovesaid FIR. He submits that the petitioner was regularly appearing before the learned trial Court, however, on account of ill health, the petitioner was admitted in Gurmehar Manorogt Hospital, Fazilka and thus, he could not appear before the trial Court. He has submitted that due to the absence of petitioner, the learned trial Court vide order dated 26.11.2024 cancelled the bail; bail bonds/surety bonds were forfeited to State and issued the



non-bailable warrants against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional and he never misused the concession of bail granted to him. 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, Ms. Ramta Chowdhary, D.A.G., Punjab appears and accepts notice on behalf of the respondents-State. She on the other hand has contended that learned trial Court rightly cancelled the bail of 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, whose bail was cancelled; bail/surety bonds were forfeited to State and non-bailable warrants were issued, due to his non-appearance on the ground that he was admitted in hospital. 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 26.11.2024 is *set aside* subject to payment of Rs.25,000/- 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 26.11.2024 would automatically come in force.

27.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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