

2025:PHHC:076257



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

**CRM-M-32321-2025
DECIDED ON: 17.06.2025**

NAJIM

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Navdeep Singh, Advocate for
Mr. Sanjeev Majra, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG Haryana

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 483 BNSS, 2023 seeking regular bail to the petitioner in case FIR No.336 Dated 28.07.2022, registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar, under Section 18 (b) of NDPS Act 1985.

Learned counsel for the petitioner submits that the petitioner was arrested on 28.07.2022, and was subsequently granted bail by the trial Court on 14.09.2022. It is submitted that the petitioner was regularly appearing before the trial Court; however, he was later arrested by the U.P. Police in connection with another case, bearing Crime No. 24 of 2024, registered at Police Station Sarurpur. Due to his custody in that case, he was unable to appear before the trial Court,

which led to the cancellation of his bail. Subsequently, on 03.04.2024, the trial Court issued a warrant of arrest against the petitioner. A perusal of the zimni order (Annexure P-3) shows that accused had been produced by the Jail Authorities in the trial Court on 07.05.2025 and the matter was adjourned to 16.07.2025.

Learned State counsel could not controvert the submissions made by learned counsel for the petitioner.

Considering the fact that the absence of the petitioner is neither intentional nor deliberate but occurred due to the circumstances, which were beyond his control, this petition deserves to be allowed.

In view of the discussions made hereinabove, the petitioner is hereby directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court concerned. The petitioner shall be produced on production warrants before the trial Court on 16.07.2025.

In the afore-said terms, the present petition is hereby allowed.

However, the above, said order is subject to the payment of Rs.10,000/-, as penalty, which shall be deposited with Punjab & Haryana High Court Bar Clerk's Association. A receipt of which shall be produced on 16.07.2025 before the trial Court.

(SANDEEP MOUDGIL)
JUDGE

17.06.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*