



In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-11453-2025 (O&M)

Date of Decision: 01.03.2025

**BHUPINDER SINGH ALIAS
GURMAIL GELA**

....PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Bhupinder K. Bhangu, Advocate for the petitioner.

Ms. Ramta Choudhary, DAG, Punjab.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. for quashing of impugned order dated 03.02.2025 passed by the learned Judge, Special Court, Kapurthala in FIR No.23 dated 27.04.2024 under Sections 22/61/85 of the NDPS Act registered at Police Station City Fattudhinga, District Kapurthala.

2. Learned counsel for the petitioner contended that on 03.02.2025, the petitioner could not appear before the learned trial Court as he had noted the date wrongly as 13.02.2025 instead of 03.02.2025. As such the learned trial Court cancelled the bail orders of the petitioner and his bail bonds and surety bonds were ordered to be forfeited. Non-bailable warrants of arrest against the petitioner have been issued. He further contended that the petitioner may be permitted to surrender before the learned trial Court to attend the trial proceedings continuously and, therefore, requests that the impugned order may be set aside.

3. Notice of motion.

4. On the asking of the Court, Ms. Ramta Choudhary, DAG, Punjab accepts notice on behalf of the respondent-State. She states that she has no objection in case the impugned order is set aside.

5. I have heard learned counsel for the parties and gone through the case file.

6. In view of the facts as noticed above and keeping in view the totality of the facts and circumstances of the case, the impugned order dated 03.02.2025 (Annexure P-3) is ordered to be set aside subject to payment of Rs.5000/- as cost to be deposited with the District Legal Service Authority. The petitioner is directed to surrender before the learned trial Court and move an application for regular bail within seven days, which shall be considered and disposed of by the learned trial Court on the same day.

The petition stands allowed.

01.03.2025

A.Kaundal

(H.S.GREWAL)
JUDGE

Whether speaking/ reasoned :

Yes/No

Whether Reportable :

Yes/No