



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

129

CRM-M-32175-2025

Date of decision: 09.07.2025

Sukhram Singh

.....*Petitioner*

Versus

State of Punjab

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Neeraj Jain, Advocate for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS 2023 for quashing of order dated 07.11.2024 passed by learned Addl. Sessions Judge, Sri Muktsar Sahib whereby bail of the petitioner has been cancelled and forfeited to the State in case No.NDPS-263-2019 pending before Ld. Addl. Sessions Judge Sri Muktsar Sahib in case FIR No.47 dated 22.06.2019 under Section 22 of NDPS Act registered at P.S Lakhewali, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that on one of the dates i.e 07.11.2024, the petitioner could not appear in Court due to miscommunication with his counsel. The Trial Court vide order dated 07.11.2024 cancelled the bail of the petitioner and issued non-bailable warrants of arrest. It is submitted that the petitioner's nonappearance was neither intentional nor willful, but occurred solely due to the aforesaid reason as he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.



Learned counsel for the petitioner though at the outset without contesting the order dated 07.11.2024 (Annexure P-2) on merits undertakes to join the trial proceedings within one week.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Without addressing the merits of the case or the legality of the order, as the same has not been contested by the learned counsel for the petitioner, who has voluntarily agreed to join the proceedings before the trial court and to pay a penalty of Rs. 15,000/- to the Punjab & Haryana High Court Bar Association for causing unwarranted delay in the trial proceedings, the order dated 07.11.2024 (Annexure P-2) is hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender within one week. In case, if any application seeking regular bail is moved by the petitioner, the same be considered by the Court below preferably on that very day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

09.07.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No