

2025:PHHC:022066



120.

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

CRM-M-8664-2025

Date of decision: 15.02.2025

Tajinder Singh @ Tejinder Kumar @ Jatinder Kumar @ Boota
.... Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ajay Pal Singh Rehan, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner, under Section 528 of BNSS, 2023, is seeking quashing of order dated 27.11.2024 (Annexure P-4) passed by learned Judge, Special Court, Hoshiarpur, vide which, the bail granted to the petitioner, vide order dated 23.12.2021, in case FIR No.178, dated 26.10.2021, under Sections 27 and 22 of NDPS Act, 1985, registered at Police Station Mahilpur, District Hoshiarpur, has been cancelled, personal bonds as well as bail bonds/surety bonds have been forfeited to the State, and proclamation proceedings have been issued against the petitioner under Section 82 of Cr.P.C., and further for quashing the order dated 20.01.2025 (Annexure P-5), vide which, fresh proclamation proceedings have been issued against the petitioner.

2. Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court for the reason that he was addicted to intoxicating substances and was not in a position to attending court proceedings. He further submits that the petitioner got medical treatment and now, he has fully recovered from the dependency on intoxicants. Learned counsel further submits that the petitioner is ready and willing to appear and surrender before the trial Court, however, he be protected till his appearance before the trial Court and directions be given to the trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Senior DAG, Punjab, accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with the following directions:

The petitioner is to appear and surrender before the trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. This is contingent upon the petitioner paying a cost of Rs.20,000/- to be deposited with the District Legal Services Authority concerned.

6. It is made clear that in case, the petitioner fails to surrender before the trial Court within 07 days from today, this order shall be of no

avail to him thereafter. In case, on appearance and surrender, the petitioner moves application for bail, the trial Court shall make earnest efforts to decide the same expeditiously, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

February 15, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No