



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

137

**CRM-M-38915-2025  
DATE OF DECISION: 23.07.2025**

**AKASHDEEP SINGH ALIAS AKASHDIP ALIAS SHIV JI**

**...PETITIONER**

**Versus**

**STATE OF PUNJAB**

**... RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Prateek Pandit Advocate for the petitioner(s).

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

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**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 528 BNSS, 2023 for quashing of order dated 07.04.2025 (Annexure P-7) passed by Ld. Judge, Special Court, Kapurthala in FIR No. 99 Dated 21.08.2021 (Annexure P-1) Under Section 22, 29 of NDPS ACT, 1985 Police Station Begowal District Kapurthala whereby the Ld. Trial court has cancelled the bail and bail/surety bonds of the petitioner on account of his non-appearance on 07.04.2025 being illegal and arbitrary and an abuse of the process of law.

Learned counsel for the petitioner submits that the petitioner is a drug addict and due to the said addiction he is suffering from several physical and mental ailments and he was being treated for the same, therefore, he could not appear before the Trial Court on some



dates, hence, the Trial Court on 07.04.2025 passed the impugned order and cancelled the bail and bail/surety bonds of the petitioner. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise 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.

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.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India and the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.



The aforesaid order/concession to the petitioner shall be subject to payment of Rs.10,000/- as compensatory penalty to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

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

The instant petition is disposed of in the aforesaid terms.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**23.07.2025**  
anuradha

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