



CRM-M-14944-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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DATE OF DECISION:19.03.2025

GURVINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Bhupinder Kaur, Advocate for
for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

The present petition has been filed by the petitioner under Section 528 of BNSS 2023, seeking quashing of order dated 18.02.2025 i.e. Annexure P-1 passed by the Court of Additional Session Judge, Amritsar, under NDPS Act, vide which the bail of the petitioner was cancelled and he was directed to be summoned through non-bailable warrants to arrest, in a criminal case having FIR No. 79 dated 08.07.2024 under Sections 21, 29, 61, 85 of NDPS Act registered at Police Station Bhindi Saidon, on account of the absence of the petitioner before the trial Court on the date fixed.

Learned counsel appearing on behalf of the petitioner *inter alia* submits that the petitioner was granted regular bail in aforesaid criminal case which was relating to the recovery of non-commercial quantity of contraband. After grant of bail, the petitioner was regularly appearing before the trial Court. However, on 18.02.2025 the petitioner was unable to appear in the trial proceedings due the some unavoidable circumstances, which resulted into

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passing of impugned order at Annexure P-1. She further submits that the trial Court acted in a hasty manner while passing the order Annexure P-1, as this was a single default on the part of the petitioner. That even now the petitioner is ready and willing to join the proceedings in the trial at the earliest in order to avoid further delay in trial.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab, accept notice on behalf of State of Punjab and submits that no doubt, petitioner was granted regular bail by the Court concerned vide order dated 20.09.2024, however the petitioner got absented on 18.02.2025 without any intimation to the learned trial Court. Resultantly, order Annexure P-1 was passed by the trial Court in accordance with law whereby the bail bonds of the petitioner were cancelled he was directed to be summoned through nonailable warrants of arrest.

Apparently, it appears that this was single default on part of the petitioner which resulted into passing of order as Annexure P-1 dated 18.02.2025. Further, it is apparent that the petitioner himself as come forward showing his willingness to join the proceedings before the trial Court at the earliest in order to avoid further delay in trial.

In light of the above, without expressing an opinion on the merits the present petition is hereby disposed of in the interest of justice with a direction to the petitioner to appear before the trial Court within a period of next 10 days and on his doing so the petitioner is directed to be released on regular bail by the said Court to its own satisfaction, subject to cost of Rs.7,000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

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Needless to say that even in future the petitioner is to remain careful and should join the trial Court proceedings on each and every date of hearing fixed in the trial.

(KARAMJIT SINGH)
JUDGE

19.03.2025

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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No