



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

Sr. No. 130

CRM-M-1191-2025 (O&M)

Date of Decision:14.01.2025

Aakash @ Akash Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.(ORAL)

By way of present petition filed under Section 528 BNSS, 2023, petitioner is seeking quashing of order dated 03.01.2025(annexed as Annexure P-2), vide which bail order of the petitioner has been cancelled and his personal bail/surety bonds were forfeited to the State, resulting into issuance of non-bailable warrants of arrest in case FIR No. 396 dated 17.10.2021, under Sections 21-A and 27-A of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act'), registered at Police Station Rewari City, District Rewari.

2.; Learned counsel for the petitioner submits that in the main case under the NDPS Act, the petitioner's name appeared in the 04th disclosure statement, and he was granted concession of anticipatory bail by Co-ordinate Bench of this Court vide order dated 21.07.2022 in CRM-M-15287-2022 (Annexure P-1).

3. After having availed the concession of anticipatory bail, the petitioner had been appearing on each and every date before learned trial Court up to the previous date i.e. 03.01.2025 when his bail order was

cancelled on account of non-appearance. He also submits that the petitioner also moved an application for exemption of his non-appearance before the Court concerned, but the same was declined.

4. Learned counsel further contends that still, if one opportunity is granted to the petitioner to appear and then to grant him bail, subject to payment of some cost, he would undertake that in all the future proceedings of the present case, will never be absent from the Court except on obtaining prior permission by the Court and will fully cooperate during the Court proceedings.

5. Notice of motion.

6. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent– State, and submits that the order of rejection of bail has been passed in accordance with law and looking at the conduct of the petitioner and also the fact that he has also involved in two more cases of similar nature.

7. Be that as it may, paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigations, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.

8. After considering the submissions of both the sides and perusing the relevant material available on record, especially looking at the fact that he was granted bail by the Co-ordinate Bench of this Court vide order dated 21.07.2022 (Annexure P-1) and thereafter he could not appear before learned trial Court and his bail order was cancelled. It also cannot be left unnoticed

that within two months of the absence from the Court, petitioner has again shown inclination to submit himself to the court by way of moving an exemption application before the trial Court.

9. Therefore, in the totality of circumstances, I am of the view that if petitioner is given one more chance to appear before the trial Court, subject to payment of Rs.10,000/- as costs, to be deposited with the Bhagwad Bhakti Ashram, Rewari, purpose of securing his presence would be served and lot of exercise, time and energy can be saved.

10. Therefore, it is directed that if petitioner on his own appears before the learned trial Court on or before 20.01.2025, he would be released on bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner would submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

11. In view of above, the present petition is allowed. However, it is made clear that the bail order would be subject to the deposit of an amount of Rs.10,000/- to be deposited with the Bhagwad Bhakti Ashram, Rewari.

12. Needless to mention here that on compliance of all the conditions mentioned hereinabove, impugned orders dated 03.01.2025, (Annexure P-2) would become inoperative *qua* the petitioner.

(SANJAY VASHISTH)
JUDGE

14.01.2025
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No