

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(120)

CRM-M-32559-2021

Date of decision:- 20.08.2021

Kesar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.S.Dhindsa, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...
SUVIR SEHGAL, J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing the impugned order/letter (Annexure P-3) passed by the Learned Chief Judicial Magistrate, Patiala in RA/04/2020 whereby the trial Court has ordered the arrest of the petitioner in case FIR No.366 dated 07.09.2001 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "the NDPS Act"), registered at Police Station Patran, District Patiala.

Upon instructions, from SI Teja Singh, learned State counsel submits that the petitioner was convicted for offence under Section 15 of the NDPS Act and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.2500/-. His appeal against conviction

was dismissed by this Court vide order dated 09.01.2020 (Annexure P-1), wherein this Court observed as under:-

“Appellant – Kesar Singh is stated to be on bail granted to him by this Court while suspending his sentence. His bail is cancelled. Chief Judicial Magistrate, Patiala is directed to issue arrest warrant to get him arrested so as to make him undergo the remaining sentence.”

State counsel submits that after the dismissal of the SLP vide order dated 05.04.2021 (Annexure P-2), the Chief Judicial Magistrate, Patiala has issued the warrant (Annexure P-3) for the arrest of the petitioner, so that he can undergo the remaining sentence.

As per the submissions of the State counsel, Annexure P-3, has been issued in pursuance to the order passed by this Court.

There is no ground to interfere with the warrant (Annexure P-3).

Petition is dismissed.

(SUVIR SEHGAL)
JUDGE

20.08.2021

Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No