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

CRM-M-17039-2022

Date of decision : 26.04.2022

Varun Katoch

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Krishan Kanha, Advocate for
Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of order dated 05.10.2021 (Annexure P-3) passed by the Additional Sessions Judge, Jalandhar in case FIR No.118 dated 30.07.2018 registered under Section 22 of the NDPS Act at Police Station Bhogpur, District Jalandhar Rural.

A perusal of the file shows that the petitioner was granted interim bail vide order dated 07.09.2018 (Annexure P-2) which was not ordered to continue in case, nature of substance was found to be in the category of commercial. In the present petition, it has not been stated by the petitioner as to whether the substance recovered was found to be commercial or not. In case, the substance is found to be of commercial

quantity, then, it was incumbent upon the petitioner to surrender. However, no such details have been mentioned in the petition. Even the zimni orders prior to 05.10.2021 have not been annexed.

In view of abovesaid facts and circumstances, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to the petitioner to file fresh petition after giving complete and better particulars and also annexing all the relevant documents.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

26.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

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

Whether reportable:- **Yes/No**