

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.
(THROUGH V.C.) CRM-M-54427-2021
Date of Decision: 5.1.2022**

Dharamdeep Singh @ Dharamveer Singh @ Nikka

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Arsshdeep Singh Brar, Advocate, for the petitioner.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner for setting aside of order dated 26.11.2021 (Annexure P-3) passed by learned Special Judge, Moga whereby non-bailable warrants of arrest of the petitioner were issued in case having FIR No.173 dated 20.7.2019 registered under Sections 21 (29 added later on) of NDPS Act, 1985 at Police Station City Moga, District Moga, on the ground that absence of the petitioner in the trial Court on that date was not intentional.

Notice of motion.

Mr. K.S. Aulakh, DAG, Punjab, accepts notice on behalf of State of Punjab. On query being put, learned State counsel on instructions from ASI Boota Singh submitted that till date, the petitioner has not been declared as proclaimed offender in the aforesaid criminal case. He, however, submitted that no other FIR has been registered under NDPS Act against the petitioner till date.

Admittedly, prior to the passing of the impugned order, the petitioner was on regular bail. It being so, the present petition is hereby disposed of with direction to the petitioner to appear before the trial Court on or before the next date of hearing fixed there and on his appearance, he is directed to be released on bail by the Court concerned subject to his furnishing fresh bail bonds to the satisfaction of the said Court. The trial Court will be at liberty to proceed against the petitioner under Section 446 Cr.P.C.

January 5, 2022

**(KARAMJIT SINGH)
JUDGE**

Paritosh Kumar

PARITOSH KUMAR Whether speaking/reasoned
2022.01.05 15:11 Whether reportable
I attest to the accuracy of
this order

Yes/No
Yes/No