

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52190-2022

Date of Decision: 14.11.2022

DEEPAK KUMAR @ DEEPU

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. M.K. Sharma, Advocate for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 482 of Code of Criminal Procedure, 1973, the petitioner is seeking quashing of order dated 11.07.2022 vide which non-bailable warrants have been issued against the petitioner in FIR No.155 dated 10.11.2020, under Sections 21 and 22 (b) of NDPS Act, registered at Police Station Tibber, District Gurdaspur.

Learned counsel for the petitioner submits that petitioner was granted regular bail vide order dated 08.12.2020 passed by learned Trial Court. The petitioner was regularly appearing before the Court but he could not appear on 25.01.2022 and 25.03.2022 and he sought exemption which was allowed. On 25.03.2022, matter was adjourned to 11.07.2022 however, he could not appear on the said date as he was informed wrong date i.e. 11.09.022 which resulted into non-appearance of the petitioner on 11.07.2022.

Notice of Motion.

On the asking of the Court Mr. J.P. Ratra, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of respondent-State and

fairly does not dispute the facts, however, prays for imposition of costs.

The petitioner was granted regular bail. Right of personal liberty granted by Article 21 of the Constitution of India is one of the most pious and important fundamental right guaranteed by our Constitution. Arrest not only deprives right of personal liberty but also causes mental agony, stress and tarnish reputation of entire family.

There is certainly lapse on the part of petitioner and reasons advanced are not much convincing, however, keeping in view facts and circumstances, I deem it appropriate to allow the petition and to extend concession of bail to the petitioner, subject to furnishing of fresh bail bonds to the satisfaction of learned Trial Court. The petition is allowed and the petitioner is directed to appear before learned Trial Court on 24.11.2022 and furnish fresh bail bonds alongwith costs of Rs. 25,000/- to be paid to the District Legal Services Authority, Gurdaspur.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

14.11.2022
Ali

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>