

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

CRM-M-298-2023

Date of decision : 16.01.2023

Harish Sood

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sukhdeep Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing of order dated 17.11.2022 passed by learned Judge, Special Court, Patiala, whereby the Court has cancelled the bail granted to the petitioner and has issued warrant of arrest against him in case FIR no.136 dated 03.11.2020, under Sections 18, 29 of NDPS Act, registered at Police Station Sadar Rajpura, Patiala.

Learned counsel for the petitioner has submitted that recovery of commercial quantity is alleged to have been effected from the petitioner and later on, he was granted bail by learned trial Court. He submits that on 17.11.2022, petitioner could not attend the Court as his mother was ill. He submits that the absence was unintentional but the trial Court cancelled his bail and forfeited his bail/surety bonds and ordered for summoning the petitioner through non-bailable warrants of arrest.

Notice of motion.

On asking of the Court, Mr. P.S. Grewal, DAG, Punjab accepts notice on behalf of the State.

Heard.

After hearing learned counsel for the parties, this Court is of the view that the present petition can be disposed of without issuing notice to respondent No.2 as resorting to that process will result in wastage of time. So keeping in view the abovesaid contentions, the present petition is disposed of and the order dated 17.11.2022 is *set aside* subject to payment of Rs.20,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh by the petitioner. In case, the petitioner appears and surrenders before the Court concerned within a period of 7 days from today and produce receipt of abovesaid costs and files an application for bail, the Court concerned would consider and decide the same within three days thereafter in accordance with law. He will have protection from arrest for a period of 7 days from today.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 17.11.2022 would come in force.

16.01.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No