

122 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2066-2023 (O&M)
Date of Decision: 16.01.2023

LOVJINDER KUMAR ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Rajender Kumar, Advocate, for the petitioner.

VIVEK PURI, J.(ORAL)

The petitioner has assailed the order dated 28.10.2022 (Annexure P-6) passed by the Court of Learned Judge Special Court, Ludhiana, vide which his bail order has been cancelled, his bail bonds and surety bonds have also been forfeited to the State and has summoned through non-bailable warrants.

Learned counsel for the petitioner contends that the petitioner has been arraigned as accused in the case bearing FIR No. 206 dated 23.09.2021 under Sections 21 of the NDPS Act registered at Police Station Samrala, District Ludhiana. The case pertains to recovery of 10 grams smack from the petitioner. The petitioner was granted regular bail by the Court of learned Judge Special Court, Ludhiana in terms of the order dated 25.10.2021. He further submits that the petitioner is regularly appearing in the trial Court. On 28.10.2022, the petitioner had to urgently go out of station and on that score, he could not put appearance in the trial Court. An application for exemption from personal appearance was also moved, but the request was declined.

Keeping in view the fact that this is the first lapse on the part of the petitioner, the petition is disposed of with a direction that the petitioner shall surrender in the trial Court on or before 20.01.2023, the next date of hearing stated to be fixed in the trial Court, and shall move an application for regular bail which may be disposed of by the learned trial Court, in accordance with law. It is further directed that till the disposal of the bail application, the arrest of the petitioner may not be effected and also for a period of two weeks in the event the application for bail submitted by the petitioner is dismissed by the concerned Court. This order is without prejudice to any proceedings under Section 446 Cr.P.C. that may be initiated against the petition and his surety.

16.01.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No