

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

**CRM-M No.4963 of 2023
Date of decision: 01.02.2023**

Prem Chand and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Parunjeet Singh, Advocate
for the petitioners.

GURBIR SINGH J. (ORAL)

The prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of impugned orders dated 09.11.2022 and 21.12.2022 passed by the learned Judge, Special Court, Ludhiana in NDPS/98/2020 in FIR No.169 of 26.09.2019, under Sections 15 and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985, Police Station Dakha, District Ludhiana, whereby non-bailable warrants have been issued against the petitioners and their bail was cancelled.

Learned counsel for the petitioners contends that the petitioners could not appear on 09.11.2022. Applications for exemption of personal appearance dated 09.11.2022 (Annexures P-4 and P-5) had been filed by the petitioners in the Court giving reasons for their absence, but on the same day, learned trial Court declined the petitioners' applications and non-bailable warrants were issued against them.

Notice of motion.

At the asking of the Court, Mr. Jaiteshwar S. Bhandari, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. A copy of the paper book be supplied to him during the course of the day.

Since the petitioners had moved the applications for exemption, their applications were not accepted. Their bail was cancelled and bail bonds and surety bonds were forfeited.

In view of the above, the present petition stands disposed of. The petitioners are directed to surrender before the learned trial Court on or before 07.02.2023 and move an application in this regard. If such an application is filed, then, they shall be granted bail subject to their furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

01.02.2023

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(GURBIR SINGH)
JUDGE

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