

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

118

CRM-M-9180-2023
Date of decision: 21.02.2023

Mohd. Anwar @ Nikka

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Imran Farooqi, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking quashing of order dated 21.09.2022 (Annexure P-2) passed by the learned Trial Court in case FIR No.100 dated 17.03.2018 under Sections 22/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Daba, District Police Commissionerate, Ludhiana vide which non-bailable warrants had been issued to secure the presence of the petitioner as he had failed to appear before the Trial Court on 21.09.2022.

Learned counsel for the petitioner submits that on account of a wrong date having been noted by the petitioner, he was unable to appear on 21.09.2022. Learned counsel submits that it was on account of a bonafide error that the petitioner absented on 21.09.2022. He further submits that however, the petitioner was willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail application, which he would be filing on his

surrender, be decided expeditiously.

Notice of motion.

On asking of the Court, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously by the Trial Court in accordance with law.

21.02.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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