

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

**CRM-M-15065-2023
Date of Decision: 28.03.2023**

**KULDEEP SINGH ALIAS KULDEEP SINGH DHINGRA
... PETITIONER**

V/S

**STATE OF PUNJAB
... RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anil Kumar Spehia, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

The petitioner is seeking to quash the impugned order dated 12.10.2022, Annexure P-3 passed by the Court of learned Addl. Sessions Judge, Jalandhar in the case bearing Complaint No. SC/376 dated 31.05.2019.

Learned counsel for the petitioner contends that the petitioner had absented from the proceedings in the learned Appellate Court on 12.10.2022, and in pursuance of the impugned order, his bail order has been cancelled. Besides, his bail bonds and surety bonds have been forfeited to the State, non-bailable warrants have been issued and notice under Section 446 Cr.P.C. has also been issued. The petitioner undertakes to surrender before the learned trial Court and in the meanwhile, he may be protected.

It has been submitted that the petitioner was arrested on 20.09.2022 in another case bearing FIR No. 233 dated 20.09.2022 under

Section 22 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Division No.8, Jalandhar. The petitioner was granted bail in other case in terms of the order dated 25.11.2022, Annexure P-4. The confinement of the petitioner in jail in another case has resulted in his non-appearance in the trial Court on 12.10.2022.

Notice of motion.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State and contends that appropriate directions may be issued to ensure the presence of the petitioner in the learned trial Court.

The petition is disposed of with a direction that the petitioner shall surrender before the learned trial Court within a period of 10 days and shall move an application for regular bail, which may be disposed of in accordance with law. However, it is directed that, in the event, the petitioner surrenders before the learned trial Court within the stipulated time period and moves application for regular bail, his arrest may not be effected till the disposal of the bail application and for a period of 2 weeks thereafter in the event, the bail application is dismissed.

28.03.2023

Janki

**(VIVEK PURI)
JUDGE**

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