

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

CRM-M-17617-2023

Date of decision: 17.04.2023

Prabhat Tyagi

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jasbir Singh Dadwal, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 05.12.2022 (Annexure P-5) passed by learned Trial Court vide which his bail/surety bonds were cancelled and non-bailable warrants were issued against him in case FIR No.56 dated 18.04.2021 under Sections 420 and 120-B of the IPC, 7 of the Essential Commodities Act, 1955 and Section 27 of the Drugs and Cosmetics Act, 1940 registered at Police Station Sector 17, District Chandigarh.

2. Learned counsel for the petitioner submits that on 05.12.2022 the petitioner could not appear before the Trial Court on account of his illness, which led to cancellation of his bail/surety bonds and issuance of non-bailable warrant against him. He has submitted the petitioner is 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.

3. Notice of motion.

4. On asking of the Court, Mr. Amit Kumar Goyal, APP, U.T., Chandigarh accepts notice on behalf of the respondent-U.T., Chandigarh.

5. 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.

6. 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.

17.04.2023

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(MANJARI NEHRU KAUL)
JUDGE

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