

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CRM-M-19310-2023

Date of decision: 20.04.2023

Rajesh Kumar @ Jassi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.S. Brar, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 19.01.2023 (Annexure P-2) vide which his bail/surety bonds were cancelled and non-bailable warrants were issued against him and orders dated 03.03.2023 (Annexure P-3) and 10.04.2023 (Annexure P-4) vide which proclamation under Section 82 of the Cr.P.C. has been issued against the petitioner, in case FIR No.203 dated 17.11.2019 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Adampur, District Jalandhar.

2. Learned counsel for the petitioner submits that on 19.01.2023 the petitioner could not appear before the Trial Court on account of some communication gap between him and his counsel, 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. Ramdeep Partap Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

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.

20.04.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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