

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

CRM-M-33228 of 2023

Date of decision: 13th July, 2023

Fauji Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Munish Kamboj, Advocate for the petitioner.
Ms. Jasleen Chahal, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This petition is filed seeking quashing of order dated 28.4.2023 passed by Special Judge, under Narcotic Drugs and Psychotropic Substances Act, 1985, (for short, 'the Act') Fatehabad vide which bail order of the petitioner was cancelled and warrants of arrest were issued.
2. The petitioner is an accused in FIR No. 13 dated 3.2.2021, under Section 18 of the Act (Section 27A of the Act added later on), registered at Police Station Jakhal, District Fatehabad. He was granted bail vide order dated 8.3.2021. On 28.4.2023, an application for exemption from personal appearance was filed. The application was dismissed, the bail was cancelled and arrest warrants were issued.
3. Learned counsel for the petitioner submits that the petitioner was working on a truck and due to the nature of his job he was not in a position to appear on the date fixed. An application for exemption from personal appearance was filed which was dismissed and without giving opportunity to appear arrest warrants were issued. He on instructions submits that the petitioner would surrender before the trial court on the next date fixed and will move an application for regular bail, the same be decided expeditiously.
4. Notice of motion.

5. Ms. Jasleen Chahal, AAG, Haryana appearing on advance notice in view of the nature of prayer made, is not able to raise any substantial objection.
6. The petition is allowed. In the eventuality of petitioner surrendering before the trial court on the next date and moving an application for bail, the court concerned shall decide it on the same day.
7. Needless to say that the trial court shall be at liberty to impose such other conditions as deemed necessary to ensure presence of the petitioner during trial.

[AVNEESH JHINGAN]

JUDGE

13th July, 2023

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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No