

(123)

2023:PHHC:099648

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

CRM-M-37807 of 2023

Date of Decision: August 03, 2023

Nishan Singh

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Prince Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 482 Cr.P.C, petitioner has prayed for quashing of impugned order dated 16.05.2023 passed by learned Special Judge (NDPS Act) Tarn Taran, whereby warrants of arrest have been directed to be issued against the petitioner during proceedings in case FIR No.62 dated 13.04.2019 registered under Sections 21/29 of NDPS Act, 1985 and 188 of IPC, 1860 at Police Station Sadar Patti, District Tarn Taran, Punjab.

It is contended by learned counsel for the petitioner that petitioner was on bail and was regularly attending the proceedings. On 16.05.2023, he could not appear before the Court due to wrong noting of the date. His bail was cancelled and warrants of arrest were directed to be issued. Learned counsel further contends that the petitioner is ready to surrender before the Court.

In view of the above, this petition is hereby disposed of with direction to the petitioner to surrender before the trial Court concerned on or before 09.08.2023, the date already fixed thereat. On his such

appearance, the trial Court shall be at liberty to initiate proceedings under Section 446 Cr.P.C and after disposing of those proceedings, shall admit the petitioner to bail. However, it is made clear that till the disposal of the proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested in view of the warrants of arrest against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

August 03, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No