

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

CRM-M-50375-2023

Date of decision: 07.10.2023

RAMESH KUMAR

....Petitioners.

Versus

STATE OF PUNJAB

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Ms. Taranjit Kaur Hundal, Advocate with
Mr. Harnaaz Kaur Hundal, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

The present petition has been filed under Section 482 Cr.P.C. has been moved by the petitioner for quashing of the impugned order dated 19.10.2019 passed by learned Additional Sessions Judge, Jalandhar, in case FIR No.0119 dated 14.05.2018, under Section 22 of the NDPS Act, registered at P.S. City Nakodar, District Jalandhar Rural, whereby the amount of surety to the tune of Rs. 50,000/- has been imposed upon the surety.

2. It is the contention of the learned counsel for the petitioner that the petitioner had stood surety for accused Kulwinder@Kindi in the aforesaid case, wherein proclamation was issued and later said

Kulwinder@Kindi has surrendered. Learned counsel for the petitioner further submits that the petitioner under the impression that as the accused Kulwinder@Kindi has surrendered, there was no need for his appearance, did not appear in the trial Court and in the meanwhile, he came to know from checking the land record that entry qua the order dated 19.10.2019 has been mentioned in the property.

3. From the perusal of the record, it is revealed that the petitioner never approached the trial Court against the order dated 19.10.2019 to present his version at this stage.

4. Faced with this situation, learned counsel for the petitioner has very fairly sought the withdrawal of the present petition with liberty to approach the learned trial Court to take up all such pleas which are available to the petitioner.

5. In view of the submissions made by learned counsel for the petitioner, the present petition stands dismissed as withdrawn with aforesaid liberty.

(SANJIV BERRY)
JUDGE

07.10.2023
kanika

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |