

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

CRM-M-61032-2022

Date of Decision: January 04, 2023

Amarbir Singh alias Amar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Hitesh Chopra, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner was allowed regular bail in case FIR No.07, dated 22.01.2021, registered at Police Station Tibber, District Gurdaspur, under Section 18(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of the Arms Act, 1959, vide order dated 22.03.2021 passed by this Court in CRM-M-12360-2021. His bail has been cancelled by learned Special Judge, Gurdaspur on 26.10.2022, which brought him to approach this Court to set aside the impugned order and to stay the warrants of arrest.

It is contended by learned counsel that petitioner was regularly appearing on each and every date of hearing. However, on 21.07.2022, petitioner wrongly noted the date as 26.11.2022 instead of 26.10.2022. It is submitted that without providing opportunity to rectify the error, learned Special Judge cancelled his bail.

Heard.

Petitioner is directed to approach learned Trial Court. Learned Trial Court is directed to consider the bail petition on the same date and in the meantime, the arrest warrants issued against the petitioner shall remain stayed. However, learned Trial Court will be at liberty to initiate the proceedings under Section 446 Cr.P.C. against the petitioner.

Petition is disposed of accordingly.

January 04, 2023

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Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No

**(DEEPAK GUPTA)
JUDGE**