

2023:PHHC:153165

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

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**CRM-M-60294-2023
Date of Decision.:01.12.2023**

Vipan Kumar @ Jugnu @ Jugno

Petitioner

Vs.

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C., prayer is made to quash orders dated 15.05.2023, 18.08.2023 & 04.10.2023 (Annexure P-3) passed by learned Special Judge, Sri Muktsar Sahib in a case arising out of FIR No.044 dated 27.03.2018 registered at Police Station Gidderbaha, District Sri Muktsar Sahib under Section 21 of NDPS Act, 1860, whereby bail of the petitioner was cancelled and warrants of arrest has been directed to issue against him.

Learned counsel contends that petitioner was allowed regular bail vide order dated 17.04.2018 (Annexure P-2). Petitioner was regularly appearing. However, he was arrested in some other case. On 15.05.2023, the report was received in the Court that he had already been released and based on that report, bail of the petitioner was cancelled. Learned counsel contends that petitioner was not informed about the actual date fixed and that petitioner is now ready to surrender before the Trial Court.

Notice of motion.

Mr. Randeep Singh Khaira, DAG, Punjab accepts notice on behalf of respondent- State.

This petition is hereby disposed of with the direction to the petitioner to surrender before the Trial Court concerned on or before 16.12.2023. On his such appearance, the Trial Court will be at liberty to initiate proceedings under Section 446 Cr.P.C. against the petitioner and after disposal thereof, shall admit the petitioner to bail.

It is made clear that till the disposal of proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested on account of warrants of arrest having being issued against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

(DEEPAK GUPTA)
JUDGE

December 01, 2023
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No