

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

123

CRM-M-63071-2023
Date of decision: 15.12.2023

RESHAM SINGH ALIAS SAPP

....Petitioner

Versus**STATE OF PUNJAB AND ANR**

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. P.K.S. Phoolka, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks quashing of the impugned order dated 09.08.2023, (Annexures P-2), whereby, issuing non-bailable warrants of arrest of the petitioner in case FIR No.88 dated 29.08.2022, under Sections 21/61/85 of NDPS Act, registered at Police Station Maur, District Bathinda.
2. The learned counsel for the petitioner submits that the absence of the petitioner before the learned trial Court concerned was neither intentional nor wilful, as petitioner had been regularly appearing in the trial court proceedings. What led to the petitioner remaining unrepresented before the learned trial court concerned on the relevant date, was that, the petitioner inadvertently noted down the wrong date of hearing.
3. Though the learned counsel for the petitioner has herein challenged the impugned order (supra), however, he could not cite any illegality or perversity therein. Therefore, he submits that the petitioner is ready and willing to join the

trial Court proceedings, in case he is granted adequate protection.

4. Relying upon an order passed by this Court, on 20.09.2022 (Annexure P-1), whereby, the petitioner was granted the concession of regular bail, the learned counsel for the petitioner submits that the petitioner apprehends his arrest, in case he surrenders before the learned trial Court concerned.

5. Since the learned counsel for the petitioner is not assailing the validity of the impugned order (supra), therefore, the impugned order is upheld. However, in case, the petitioner surrenders before the learned trial Court concerned within 15 days from today and thereupon, makes an application for grant of regular bail, the learned trial Court concerned, shall make an endeavour to decide the said application on the same day itself. The arrest of the petitioner shall remain stayed until 15 days from today. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 days from today, the protection granted hereinabove, *qua* his arrest shall stand automatically vacated.

6. Disposed of accordingly.

15.12.2023
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No