

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15139 of 2024
Date of decision: 4th April, 2024

Sanjay Partap

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ravinder Bangar, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 24.08.2023 (Annexure P-3) passed by the learned trial Court vide which bail granted to the petitioner was cancelled and warrants of his arrest were issued in case FIR No.244 dated 27.08.2019 under Sections 21 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Mahesh Nagar, District Ambala.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court concerned and it was only on 24.08.2023 that he was unable to put in an appearance as he is suffering from heart disease and is taking treatment from various doctors. He submits that it was thus, for a genuine reason that the

petitioner was unable to put in an appearance before the Court. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the learned trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Court concerned and the Court be directed that his application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. Mr. Rajesh Gaur, Addl. Advocate General, Haryana who is present in Court, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by learned counsel appearing on behalf of the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the learned trial Court within seven days from today. Till then, no coercive steps shall be taken against the petitioner, subject to payment of costs in the sum of ₹ 10,000/- which shall be deposited with the District Legal Services Authority, Ambala.

7. However, it is made clear that in case the petitioner fails to surrender before the Court concerned within the above stipulated time period, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail

before the Court, the same shall be decided by the Court concerned expeditiously, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

April 4, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No