

IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

240

CRM-M-18467-2023 (O&M)  
Date of Decision: 19.01.2024

PREM SINGH @ PREMA

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ruhani Chadha, Advocate  
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

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HARPREET SINGH BRAR J. (Oral)

Prayer in the present FIR is for quashing of the impugned order dated 26.10.2022 (Annexure P-4) passed by the learned Special Judge, Kapurthala whereby non bailable warrants of arrest is issued against the petitioner in FIR No.56 dated 28.03.2019 registered with Police Station Sultanpur Lodhi under Section Section 22 of Narcotics Drugs and Psychotropic Substances Act, 1985, District Kapurthala.

On 28.08.2023, the following order was passed:-

*“Vide order dated 17.04.2023, a Coordinate Bench of this Court had directed the applicant to cause appearance before learned trial Court on or before 24.04.2023 and seek regular bail and upon his doing so, it was observed that he will be admitted on bail, notwithstanding that non-bailable warrant were issued against him by learned trial Court for his non-appearance in the course of trial. Despite aforesaid*

*concession, petitioner did not appear before trial Court pleading that he is a poor person and was unable to arrange security to secure his bail, despite the grant of concession by this Court.*

*In the premise, he filed an application seeking further opportunity to allow him to appear by arranging a security. His explanation was not found worthy and the same was dismissed vide order dated 02.05.2023.*

*By way of present application, learned counsel for applicant states that applicant is 78 year old senior citizen and a family person with fixed abode, having grand children and there is no likelihood of his fleeing from court proceedings. He further submits that it is only on account of his being a poor person that he was unable to manage a security in order to avail the concession of bail. He further states that finally he has been able to manage a security and hence, he may be granted extension of time to permit him to appear before learned trial Court.*

*In the peculiar circumstance, even though this Court would not have ordinarily interfered in the matter, but given the explanation and the age of the petitioner, the prayer for seeking extension to appear before learned trial Court is accepted. He is permitted to appear before learned trial Court within a period of 10 days from today failing which learned trial Court shall be at liberty to take coercive steps against him, regardless of his age. Application is disposed of accordingly.”*

Learned counsel for the petitioner has complied with the order dated 28.08.2023 and has surrendered before the trial Court on 06.09.2023 and he was granted regular bail by the learned Special Judge, Kapurthala.

The petitioner has already appeared and granted regular bail by the learned trial Court and as such no further direction is required. The present petition is disposed of with the direction to the petitioner to appear before the trial Court on each and every date.

19.01.2024  
*pry*

(HARPREET SINGH BRAR)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |