

S. No.133

2024:PHHC:056308

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

CRM-M-19769 of 2024

Date of Decision:25.04.2024

Lovepreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Bhalla, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for setting aside order dated 08.01.2024, whereby bail granted to the petitioner was cancelled and warrant of arrest was directed to be issued against him in case FIR No.52 dated 06.02.2022 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Maqboolpura, District Police Commissionerate, Amritsar, by learned Additional Sessions Judge, Amritsar.

Learned counsel for the petitioner contends that the petitioner was allowed bail vide order dated 15.03.2022 and that his presence was exempted by the Court till filing of the challan vide order dated 09.11.2022.

Learned counsel contends that challan was presented on 15.03.2023 and then notice was directed to be sent to the petitioner. However, notice was never served upon the petitioner. By just presuming that the petitioner was avoiding to receive the notice, his bail was cancelled and warrants of arrest have been directed to be issued against him.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab, accepts notice on behalf of the respondent- State.

This petition is hereby disposed of with direction to the petitioner to surrender before the trial Court concerned on or before 06.05.2024. On his surrender, the Court will proceed against the petitioner under Section 446 Cr.P.C and after disposal of those proceedings, shall admit the petitioner to bail. However, it is made clear that till the disposal of the proceedings under Section 446 Cr.P.C., petitioner shall not be taken into custody. If in the meantime, petitioner is sought to be arrested in view of the warrants of arrest/proclamation issued against him, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

April 25, 2024
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(DEEPAK GUPTA)
JUDGE

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