

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-26291-2024
Date of Decision.:27.05.2024

Darbara Singh

Petitioner

Vs.

State of Punjab

Respondent

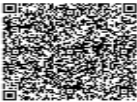
CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Chandan Singh Rana, 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 impugned order dated 16.03.2024 (Annexure P-6) passed by learned Judge, Special Court, Jalandhar, whereby bail of the petitioner was cancelled and bonds were forfeited in a case arising out of FIR No.250 dated 11.11.2022 under Sections 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 added later on) registered at Police Station Shahkot, District Jalandhar.

Learned counsel contends that petitioner had been allowed anticipatory bail by this Court, which was made absolute on 02.11.2023 in CRM-M-11404-2023 (Annexure P-4). Learned counsel further contends that challan was presented before the Special Court on 19.01.2024 in the absence of the petitioner. He was not aware about filing of the challan or the next date of hearing which was fixed to be 26.02.2024. On next date of hearing i.e. 16.03.2024, on account of absence of the petitioner his bail was cancelled, despite the fact neither notice was given to him nor he was aware of the date.



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Notice of motion.

Mr. Vinay Kumar Malhotra, 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 within a period of 15 days from today. On his such appearance, the Trial Court shall admit the petitioner to bail.

It is made clear that, 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

May 27, 2024
Neetika Tuteja

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