



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

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CRM-M-29982-2024

Date of Decision.:14.06.2024

Gurmukh Kapoor

Petitioner

Vs.

**State of Punjab through Drugs
Inspector, Ferozpur**

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gurjeet Singh Kaura, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in complaint case No.COMA-4-2018 titled as 'State of Punjab through Drugs Inspector v. Gurmukh Kapoor & Ors.' under Section 18(a)(i) read with Rule 105, punishable under Section 27(c)(d) and Sections 18(c) & 18-A punishable under Section 27(b)(ii) & 28 and Section 18(a) (vi) punishable under Section 27(d) of the Drugs and Cosmetics Act, 1940/Rules, 1945 dated 18.05.2017.

2. Learned counsel contends that petitioner was on bail and was appearing before the Court regularly. However, on 24.05.2024, he could not appear due to sickness of his mother and had even moved an application seeking exemption from personal appearance which was declined. His bail was cancelled, bail bonds/surety bonds were forfeited and warrants of arrest have been directed to be issued. Learned counsel also contends that petitioner is ready to surrender before the Court and he may be provided necessary protection.



3. Notice of motion.
4. Mr. Somesh Arora, Addl. A.G., Punjab accepts notice on behalf of respondent- State.
5. This petition is hereby disposed of with the direction to the petitioner to surrender before the Trial Court concerned on or before 01.07.2024. On his such appearance, the Trial Court will initiate proceedings under Section 446 Cr.P.C. against the petitioner and after disposal thereof, shall admit the petitioner to bail.
6. It is made clear that till the disposal of proceedings under Section 446 Cr.P.C., 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

June 14, 2024
Neetika Tuteja

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