

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-32814-2023 (O&M)

Date of decision: 11.01.2024

PARDEEP KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rahul Verma, Advocate for
Mr. Suneel Sharma, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG Haryana.

KULDEEP TIWARI. J.(Oral)

On 01.08.2023, the following order was passed:-

"This is a petition under Section 438 Cr.P.C. for grant of concession of pre-arrest bail in case FIR No.18 dated 27.01.2023, under Section 21 of NDPS Act, registered at Police Station Sector 20, Panchkula.

Learned counsel for the petitioner submits that the petitioner was initially arrested in this case on 22.02.2023 and granted regular bail by the Additional Sessions Judge, Panchkula, vide order dated 31.03.2023. Thereafter, on 06.06.2023, petitioner could not appear before the Court below due to having noted a wrong date in the case, when his bail was cancelled and now the case is posted for 02.09.2023. Counsel submits that the absence of petitioner before the Court below is not intentional but due to above-stated reason. He further submits that the petitioner is keen to join the proceedings before the trial Court and abide by all the terms and conditions imposed by the Court. Learned counsel also submits that the petitioner himself volunteers to deposit a sum of `10,000/- for any social cause to benefit the society at large.

Notice of motion, returnable for 05.09.2023.

Mr. Gurbir S. Dhillon, A.A.G., Haryana, accepts notice on behalf of respondent No.1-State and waives service. He seeks time to file

reply/status report.

The petitioner is directed to deposit an amount of `10,000/- as costs with Poor Patients' Welfare Fund, PGIMER, Chandigarh, (<https://pgimer.edu.in/>) within a period of 07 days from today and surrender before the trial Court concerned on or before 10.08.2023. In case the petitioner surrenders before the trial Court and moves an appropriate application for bail alongwith receipt of abovesaid costs, he be enlarged on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

To enable the petitioner to put in appearance before the Court below, his arrest pursuant to the impugned proceedings, shall remain stayed till 10.08.2023.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of above said protection granted by this Court and order dated 06.06.2023 (Annexure P-3) alongwith subsequent proceedings, would come in force."

Today, learned counsel for the petitioner, has placed on record an order dated 10.08.2023, to submit that in compliance of the directions issued by this Court (supra), the petitioner has deposited Rs.10,000/- as costs with Poor Patients Welfare Fund, PGIMER, Chandigarh, as well as surrendered before the learned trial Court concerned, upon which the petitioner was admitted to interim bail.

The order dated 10.08.2023, passed by the learned Additional sessions Judge, Panchkula is taken on record.

In view of the above, the interim order dated 01.08.2023, is hereby made absolute.

All pending miscellaneous application(s) stand disposed of accordingly.

11.01.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No