

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

CRM No. M-11137 of 2015 (O&M)

Date of Decision: 29.06.2015.

Kulwant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Avtar Singh Bhatti, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

The instant petition has been filed under Section 438 Cr.P.C. praying for release of the petitioner on bail in the event of his arrest on appearance before the trial Court in case FIR No.67 dated 27.05.2013, under Sections 22/61/85 of the NDPS Act, registered at Police Station Mukerian, District Hoshiarpur.

Contention raised on behalf of the petitioner is that the petitioner has duly appeared before the trial Court and had absented from the trial proceedings only on one date and on account of which non-bailable warrants have been issued.

While issuing notice of motion, the following order was passed by this Court on 10.04.2015:

“Contends that the petitioner is willing to abide by the terms of the trial and would appear before the trial court on 27.4.2015.

Notice of motion for 29.6.2015.

If the petitioner submits himself before the learned trial court on the aforesaid date and undertakes to abide by the trial, he shall not be arrested and the non-bailable warrants issued by virtue of order dated 18.12.2014 shall remain in abeyance.”

Counsel for the petitioner would submit that in pursuance to the notice of motion order, the petitioner had duly appeared before the trial Court on 27.04.2015. Such factual position is not disputed by learned State counsel, who is being instructed from ASI Baljit Singh.

In the light of such factual position wherein the petitioner has duly joined trial proceedings, the instant petition is allowed and the interim protection granted vide order dated 10.04.2015 passed by this Court is made absolute with further clarification that the petitioner would be liable to furnish fresh bail bonds to the satisfaction of the trial Court.

Disposed of.

29.06.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**