

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-11613 of 2015

.....

Date of decision:25.8.2015

Charanjit Singh alias Chanan

.....Petitioner

v.

State of Punjab

.....Respondent

.....

Present: Ms. Rakhi Sharma, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.20 dated 4.4.2013 registered for the offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Valtaha, District Tarn Taran, as the aforesaid petitioner could not appear on 24.3.2015, due to the reason that the counsel for the petitioner inadvertently noted the next date of hearing as 25.3.2015 and due to the non-appearance of the petitioner, non-bailable warrants were issued by the learned trial Court.

Notice of motion has been issued in this case.

Ms. Simsi Dhir Malhotra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and

contested this petition.

I have heard learned counsel for the parties and have gone through the record.

The accused/petitioner was already on bail and has absented from one date and his non-bailable warrants have been issued. As per the interim order dated 10.4.2015, he has appeared before the trial Court. The trial of the case will take long time. No useful purpose will be served by sending the petitioner to custody till the disposal of the case. The absence of the petitioner on one date, as argued, is due to inadvertently noting of wrong date of hearing by his counsel.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 10.4.2015 passed by this Court granting interim relief to the petitioner is made absolute. The trial Court is to release the petitioner on bail subject to its satisfaction.

August 25, 2015.

(Inderjit Singh)
Judge

hsp