

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13425-2015

Date of decision: 27.04.2015

Jagtar Singh @ Jagi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. JS Brar, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 126 dated 09.07.2013 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act (NDPS) at Police Station Sadar Tarn Taran, District Tarn Taran.

I have heard learned counsel for the petitioner and have gone through the paper-book quite carefully.

Learned counsel for the petitioner submits that petitioner is on bail in the instant FIR. It is further submitted that when the matter was listed before the trial Court on 10.07.2014, bail of the petitioner was cancelled due to his absence. It is also submitted that petitioner was in custody in another case i.e. FIR No. 132 dated 01.05.2014 registered under Section 22 of the NDPS Act at Police Station Tarn Taran from

02.05.2014 to 10.11.2014. Copy of custody certificate in this regard is dated 10.04.2015 (Annexure P-2).

If that be so, the petitioner was obviously not at fault for his inability to appear on the date fixed by the trial Court. The instant petition is, thus, disposed of with liberty to the petitioner to appear before the trial Court within 10 days from today and apply for bail on the aforesaid ground. On moving such an application, the trial Court shall decide the same expeditiously and in accordance with law but the petitioner shall not be arrested till his bail application is decided by trial Court.

April 27, 2015

rishu

**(R.P. NAGRATH)
JUDGE**