

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-2157 of 2015 (O&M)

Date of decision: January 21, 2015

Bohar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Ms. Rakhi Sharma, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner Bohar Singh has preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.333 dated 19.12.2012, registered at Police Station Patti, District Tarn Taran, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner contends that petitioner could not appear before the trial Court on 13.11.2014 and, therefore, non-bailable warrants have been issued against him.

Notice of motion.

On asking of the Court, Mr. S.S.Chandumajra, Deputy Advocate General, Punjab, has accepted notice on behalf of respondent(s)-State and contested this bail application.

I have heard learned counsel for the petitioner, learned State Counsel and have gone through the record.

As per order dated 13.11.2014, the present petitioner absented from the Court proceedings without any intimation.

Accordingly, bail of the petitioner was cancelled and bonds were

forfeited to the State. Learned counsel for the petitioner states that the absence of the petitioner is only due to wrong noting of the date. As the petitioner was already on regular bail and the trial of the case will take long time, therefore, no useful purpose will be served by sending the petitioner to custody.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, I accept this petition and the petitioner is directed to surrender before the learned trial Court within 10 days and the learned trial Court will release him on bail to its satisfaction. However, it is made clear that if the petitioner fails to appear before the learned trial Court within stipulated period, then this petition will be treated as dismissed.

January 21, 2015

rajesh.k.khurana

**(INDERJIT SINGH)
JUDGE**