

## IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-2310 of 2015 (O&amp;M)

Date of decision: January 22, 2015

Dilbagh Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

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

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**INDERJIT SINGH, J.**

Petitioner Dilbagh Singh has preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.169 dated 01.07.2012, registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Patti, District Tarn Taran.

Notice of motion in this case was issued. On asking of the Court, Mr. S.S.Chandumajra, Deputy Advocate General, Punjab has accepted notice on behalf of respondent-State and contested this bail application.

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

As per order dated 10.09.2014 (Annexure P-2), the petitioner absented from the court proceedings and his bail was accordingly cancelled and bail bonds were forfeited to the State. As per custody certificate (Annexure P-3), the petitioner was in jail w.e.f. 03.09.2014 to 11.11.2014, in some other case. As per order dated

07.11.2014 (Annexure P-4), passed by the same Court, the bail application filed on behalf of petitioner was allowed but no bail bonds were furnished on his behalf and production warrants were issued for production of the petitioner. As per order dated 08.12.2014 (Annexure P-5), again non-bailable warrants were issued against petitioner Dilbagh Singh. There is nothing in the order that whether the petitioner is still in jail or not because on the earlier date, the production warrants of the petitioner were issued. There is also nothing on record to show that petitioner has been released from the jail in this case without furnishing the bail bonds.

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 7 days and on doing so, the learned trial court is directed to release him on bail on furnishing bail bonds in the sum of Rs.80,000/- with one surety of the like amount. 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 22, 2015**

rajesh.k.khurana

**(INDERJIT SINGH)  
JUDGE**