

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

**C.R.M-M No.23932 of 2014
Date of Decision : 27.01.2015**

Jagjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.S. Goraya, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.126 dated 29.06.2012 registered under Sections 15, 25, 61 & 85 of the NDPS Act at Police Station Samrala, District Ludhiana.

On 18.07.2014 the following order was passed:-

“Counsel would contend that the alleged recovery in the present case was 6 kgs of poppy husk and that also not from the present petitioner but from the co-accused Parminder Singh. It is further submitted that the petitioner has been released on bail by the Trial Court and thereafter he had been

appearing regularly during the trial proceedings. Only on account of non-appearance on one single date i.e. 2.5.2014 on account of bonafide reasons i.e. ill health of his father, who has subsequently expired on 5.7.2014, the bail bonds furnished by the petitioner have been forfeited and non-bailable warrants have been issued. Counsel submits that the petitioner is otherwise ready and willing to join trial proceedings.

Notice of motion, returnable for 3.11.2014.

In the meantime, petitioner is directed to appear before the Trial Court on or before the date already fixed. In the eventuality of his doing so, petitioner would be entitled to ad interim protection as regards arrest subject to satisfaction of the Trial Court.”

Today the learned Additional Advocate General has accepted the fact that the petitioner failed to appear only on one single date i.e. 02.05.2014 and was appearing regularly before the said date. She has further stated that after the interim order passed by this Court the petitioner is now regularly appearing before the trial Court.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The trial Court is directed to release the petitioner on bail to its satisfaction.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

January 27, 2015

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