

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

CRM No. M-3181 of 2015

Date of decision:- March 02, 2015

Harjinder Singh

.....Petitioner..

Vs.

State of Punjab

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Jaspreet Singh Sekhon, AAG, Punjab.

JASPAL SINGH, J. (Oral)

This is a petition under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail, moved by Harjinder Singh-petitioner, in case bearing FIR No. 62, dated 29.07.2013, under Section 22 of the Narcotics Drugs and Pshchotropic Substances Act, 1985 registered at Police Station Khalra, District Tarn Taran.

It is an undisputed fact that petitioner is facing trial, during which he could not appear on December 05, 2014, as a result whereof, his bail bonds were cancelled and non-bailable warrants were issued against him. In fact, the petitioner was suffering from high fever as is evident from OPD slip issued by Civil Hospital,

Lapoke and due to illness, he could not appear on the aforesaid date. Immediately, thereafter, he preferred the instant petition. In compliance of order dated January 30, 2015 passed by this Court, the petitioner has joined the proceedings pending before the Id. trial Court. Since, the absence of the petitioner on December 05, 2014 appears due to the fact that he was suffering from high fever, his absence can neither be termed to be intentional nor willful.

Taking into consideration all these aspects of this case, order dated January 30, 2015, is made absolute, subject to the conditions prescribed under Section 438 (2) of the Cr.P.C.

Petition stands disposed of accordingly.

(JASPAL SINGH)
JUDGE

March 02, 2015
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