

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-41294 of 2014
Date of Decision:- 09.01.2015

Gurmej Masih

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr. Munish Puri, Advocate, for the petitioner.

Mr. J.S. Sekhon, Assistant Advocate General, Punjab,
for the respondent-State.

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of pre-arrest bail, in a case registered against him, vide FIR No.49 dated 23.05.2012, on accusation of having committed an offence punishable under Section 22 of The Narcotic Drugs & Psychotropic Substances Act, 1985, by the police of Police Station Hargobindpur, District Batala.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on 10.12.2014: -

“Learned counsel, inter alia, contended that the petitioner was earlier granted the concession of regular bail in this case and he was regularly attending the Court proceedings. On 16.10.2013, he could not appear on account of wrong noting of the date of hearing by his counsel and the trial Court has issued non-bailable warrants against him, without any cogent reasons. The argument is that absence of the petitioner on the pointed date was not intentional but due to wrong noting of date by his counsel.

Heard.

Notice of motion be issued to the respondent, returnable for 09.01.2015.

Meanwhile, the petitioner is directed to appear/surrender before the next date of hearing and the summoning Court would admit him to interim (provisional) bail, on his filing a specific affidavit that he will regularly attend the proceedings in the trial Court in future and furnishing adequate bail and surety bonds to its satisfaction.”

5. At the very outset, learned counsel has filed his affidavit and stated at the bar that the petitioner has already appeared/surrendered and bail bonds & surety bonds furnished by him, in pursuance of the pointed order of this Court, were accepted and attested by the trial Court on 07.01.2015.

6. In the light of aforesaid reasons, the instant petition for anticipatory bail is accepted. The interim (provisional) bail already granted to the petitioner, by way of indicated order of this Court, is hereby made absolute.

January 09, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE