

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

CRM No.M-41834 of 2015 (O&M)

Date of decision: 10.12.2015

Saleem @ Kalva

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.83 dated 14.04.2015, registered under Section 18 of NDPS Act, at Police Station Rama Mandi, Jalandhar.

Notice of motion.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State.

The learned counsel for the petitioner contends that petitioner was granted the concession of regular bail in this case and he was regularly attending the court proceedings. He could not appear on 08.10.2015 as he noted down the date as 28.10.2015 instead of 08.10.2015. The absence of the petitioner on the relevant

date was stated to be bona fide and not intentional.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the fact that this is the solitary absence, therefore, the assertion raised by the learned counsel for the petitioner cannot be said to be ill-conceived as the petitioner is not likely to be benefited from absence. Accordingly, it is ordered that in case the petitioner appears/surrenders before the trial Court, within a week from today, in that eventuality, he shall be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the trial Court.

Disposed of.

10.12.2015

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(JITENDRA CHAUHAN)
JUDGE