

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No.M-6453 of 2015 (O&M)

Date of decision: 26th February, 2015

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. K.S.Brar, Advocate, for the petitioner.

INDERJIT SINGH, J.

Petitioner has preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.57 dated 09.06.2011, registered at Police Station Nathana, District Bathinda, under Sections 25 and 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (in short 'the Act').

Notice of motion.

On the asking of the Court, Mr. S.S.Chandumajra, DAG, Punjab, has accepted notice on behalf of respondent(s)-State and contested the instant petition.

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

As per impugned order dated 23.01.2015, passed by the learned trial Court, the petitioner absented from the proceedings and his bail order was cancelled and bail bonds were forfeited to the State. He was ordered to be summoned through non-bailable warrants. As the petitioner has absented himself from the Court only on one date i.e. 23.01.2015, no useful purpose will be served by sending him to custody or to keep him in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, the present petition is accepted. The petitioner is directed to appear before the learned trial Court within seven days and on doing so, he shall be released on anticipatory bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the learned trial Court.

26th February, 2015
mamta

(INDERJIT SINGH)
JUDGE