

CRM-M-6808 of 2015

Date of decision: March 02, 2015

KABAL SINGH @ FOJI

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGHPresent: Mr. Satnam Singh Gill, Advocate
for the petitioner.**Jaspal Singh, J.(Oral)**

The instant petition has been filed seeking anticipatory bail to the petitioner in case bearing FIR No. 54 dated 10.06.2013 under Section 15/61/85 NDPS Act, Police Station Ghagga, District Patiala.

Notice of motion.

At the asking of Court, Mr. Jaspreet Singh Sekhon, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

It is an undisputed fact that petitioner was granted concession of bail by learned trial Court but during the pendency of trial petitioner absented from the Court on January 06, 2015 as a result, thereof, his bail orders and bail bonds were cancelled and he was ordered to be summoned through warrants of arrest. An application moved by the petitioner before learned Judge Special Court, Patiala has been dismissed vide order dated February 10, 2015 for a simple reason that the petitioner has misused the concession of bail and further that proclamation has been issued for March 03, 2015.

Learned counsel for the petitioner has submitted that absence on January 06, 2015 was unintentional and it was only due to noting down of a wrong date of hearing as February 06, 2015 instead of January 06, 2015. Moreover, petitioner is interested to join the proceedings and with that purpose, he moved an application before learned trial Court.

In the given circumstances, it would not be desirable to send him behind the bars just for a single lapse on his part for becoming absent from the Court without any intimation.

The instant petition is allowed. Petitioner is ordered to be released on interim bail on his furnishing bail bonds to the satisfaction of learned trial Court.

March 02, 2015
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(JASPAL SINGH)
JUDGE