

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

Date of decision:12.04.2016

Gurjit Singh

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Deepak Malhotra,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in case FIR No.90 dated 22.10.2011,PS Mehtiana under Sections 22,61,85 of the Narcotic Drugs and Psychotropic Substances Act,1985,during pendency of the trial.

Petitioner was apprehended at the spot and recovery of 144 capsules of Spasono-Proxyvon and 600 Tablets of Ranbaxy were found in his possession without any licence.

Petitioner was enlarged on bail and for his non-appearance on 19.11.2012 his bail bonds were cancelled. However, he was directed to surrender and and permitted to be released on bail vide order dated 17.12.2012 passed by this Court.

Petitioner,thereafter, has yet again not appeared on

15.10.2015 leading to cancellation of his bail bonds and issuance of NBWs. He has continuously remained absent on 18.12.2015, 19.12.2015, 21.12.2015, 19.1.2016, 18.2.2016, 25.2.2016, 29.2.2016, 4.3.2016 and 25.3.2016.

Learned counsel submits that petitioner had suffered an ankle joint injury and therefore, non appearance on 15.10.2015 and on all subsequent dates is unintentional.

After hearing learned counsel and perusing the paper book including certificate P-2 it is apparent that there is no credible material on record to sustain the plea of the petitioner. The certificate dated 23.9.2015 issued by MBBS Doctor only states that petitioner has undergone treatment on 22.9.2015 for an ankle joint injury due to a road accident and is advised one week rest.

Admittedly, there was no subsequent advice which could extend till 15.10.2015 or on all subsequent dates. It is, therefore, evident that absence of the petitioner from the trial is intentional.

In view of above circumstances, no case for grant of bail during trial is made out.

Dismissed.

12.04.2016
joshi

(Jaswant Singh)
Judge