

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

**CRM-M-28605 of 2016
DECIDED ON: AUGUST 23, 2016**

BIKRAMJIT SINGH @ VICKY

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashish Aggarwal, Advocate
 for the petitioner.

 Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case FIR No. 155 dated 13.05.2014 under Sections 307, 324, 326, 323 and 34 IPC and under Section 25 of Arms Act registered at Police Station City Tarn Taran, District Tarn Taran.

Undisputably, petitioner has been facing trial in the instant case, in which he was on bail but during the pendency thereof, on August 14, 2015 he was arrested in other two cases i.e. FIR No. 49 dated August 14, 2015 under Section 21 of NDPS Act and FIR No. 50 dated August 14, 2015 under Section 25 of Arms Act registered at Police Station Sarai Amanat Khan, District Amritsar. The trial in the instant case was fixed for August 18, 2015 but on the day he could not appear as he was in custody in the above-referred FIRs. He was also not produced by the jail authorities. As a result whereof, he absented from court on August 18, 2015 and his bail bonds were cancelled and he was ordered to be summoned through non-bailable warrants.

In view of the fact that petitioner was in jail under the provision of NDPS Act, his absence from Court on 18.08.2015 cannot be termed to be willful or intentional.

Taking into consideration the above-said facts and circumstances, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

AUGUST 23, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No