

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 107

Criminal Miscellaneous No.M-36137 of 2016 (O & M)
Date of Decision: *October 07, 2016*

Vicky Kaur

..... PETITIONER

VERSUS

State of Punjab

..... RESPONDENT

. . .

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

PRESENT: - Mr. Satnam Singh Gill, Advocate, for the petitioner.

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Jaspal Singh, J (Oral)

Crl. Misc. No.31908 of 2016

Application is allowed as prayed for.

Crl. Misc. No.M-36137 of 2016

1. By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner has sought grant of pre-arrest bail in case FIR No.126 dated September 11, 2013, under Section 22 of the Narcotics Drugs & Psychotropic Substances Act, 1985 (for short, 'Act'), registered at Police Station, Passiana, District Patiala.

2. Case of the petitioner is that she had been regularly appearing before the trial court but on July 29, 2016, she could not appear, as a result whereof, her bail order/bonds had been cancelled and forfeited to the State, and she was ordered to be summoned through non-bailable

warrants. Subsequently, she moved an application under Section 438 Cr.P.C. on August 30, 2016 but that it was dismissed by the Judge, Special Court vide order dated September 12, 2016. The filing of application before the Judge, Special Court, immediately after issuance of her warrants of arrest, itself is suggestive of the fact that there was no malafide intention on the part of the petitioner. Further, petitioner undertakes to cooperate with the trial.

3. Taking into consideration aforesaid aspects of the matter but without expressing any opinion on the merits of the main case, instant petition is disposed with a direction to the petitioner to appear/ surrender before the trial court within a period of 10 days from the date of receipt of a certified copy of this order and on her appearance/surrender, she shall be released on bail at its satisfaction.

4. It is further made clear that in the event of arrest of petitioner by any police officer in pursuance to issuance of warrants of arrest against her, she shall be released on interim bail at the satisfaction of Arresting Officer.

October 07, 2016
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(Jaspal Singh)
Judge

Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No