

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

CRM No. M-36989 of 2016.

Decided on: 19.10.2016.

Parvinder Singh @ Pinder

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Ms. Rakhi Sharma, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

This is a petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.176 dated 31.08.2013 registered under Section 21 of the NDPS Act and Sections 25 and 27 of the Arms Act at Police Station Sadar, Tarn Taran.

Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court on 22.04.2016 as he was in custody in another FIR No. 18 dated 15.04.2016 registered under Section 21 of the NDPS Act at Police Station Sadar Patti, District Tarn Taran. In this regard, she refers to custody certificate dated 23.05.2016 (Annexure P-3) issued by Superintendent Sub Jail, Patti which records the fact that the petitioner remained in custody in aforesaid FIR No.18 from 16.04.2016 to 16.05.2016. It is further

contended that the petitioner had duly instructed his counsel to bring this fact to the notice of the trial Court, however, the same could not be brought to the notice of the Court and the impugned order dated 22.04.2016 was passed. The absence of the petitioner from the Court is neither wilful nor deliberate.

Notice of motion.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, present in the Court, accepts notice on behalf of State of Punjab. A complete set of paper book has been supplied to her.

In view of the afore-noticed position, it is ordered that in case the petitioner surrenders before the trial Court within a week from today, the trial Court shall admit him to bail on his furnishing fresh bail bonds and surety bonds to its satisfaction.

However, the respondent shall have the liberty to revive the proceedings in case the assertions raised by the petitioner are found to be against record.

The petition stands disposed of.

19.10.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No