

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

CRM-M-40219 of 2016

Date of Decision: December 21, 2016

Balwinder Kumar @ Nidi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. J.S. Brar, AAG, Punjab.

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C. are that the petitioner was facing trial in case FIR No.133 dated 12.12.2015 under Section 22/61/86 of NDPS Act registered at Police Station, Sadar, Moga for being found in illegal possession of commercial quantity of Diphenoxylate hydrochloride and that vide orders dated 03.03.2016 he was allowed interim bail till the receipt of report of Chemical Examiner.

Learned State counsel submitted that the petitioner inspite of submission of report of Chemical Examiner had not bothered to put in appearance and, thus, absconded and has not responded to the processes issued by the Court.

Though, learned counsel for the petitioner has sought to take the refuge of medical illness of the petitioner and has placed on record medical illness certificate of the petitioner to this effect which is admittedly

not of much credible worth and apparently is a ploy to set up a subterfuge to defeat the process of law.

Thus, this serious misconduct on the part of the petitioner impels this Court to dismiss the present application of the petitioner.

(FATEH DEEP SINGH)
JUDGE

December 21, 2016

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