

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

(208)

CRM-M-39718-2015

Decided on: February 10, 2016.

Shamsher Singh @ Shera

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. D.S. Pheruman, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner had been granted concession of bail under Section 167 (2) Cr.P.C vide order dated 06.07.2013. After presentation of challan, he absented on 10.03.2015 as a result of which his bail bonds were cancelled.

Learned counsel for the petitioner submits that the petitioner had voluntarily surrendered on 14.05.2015 and he has been in custody with effect from said date. He has further submitted that on account of having noted wrong date, the petitioner was not able to appear in the Court on 10.03.2015.

I have considered the facts and circumstances of the case and I am of the opinion that the petitioner has voluntarily surrendered on 14.05.2015 and has been in custody till date.

Period of detention suffered by the petitioner from 14.05.2015 till date will certainly have a deterrent effect upon the petitioner not to absent himself.

Learned State counsel has contended that it is a case of recovery of commercial quantity of methamphetamine.

I have considered the said contention of learned State counsel and I am of the opinion that the petitioner had been granted bail for the recovery of said quantity while considering his application under Section 167 (2) Cr.P.C on 06.07.2013 and that his bail has been cancelled only on the ground of having not appeared on one particular date.

In view of said circumstances, the petitioner can be granted concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

February 10, 2016
harsha