

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

CRM-M-41396-2016

Date of decision: 22.11.2016

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.KS Lakhanpal, Advocate for the petitioner

Mr.Neeraj Sharma, AAG, Punjab

SNEH PRASHAR, J.

The present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in case First Information Report No.276 dated 20.7.2014 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act at Police Station Division -A, Amritsar City.

Learned counsel for the petitioner submits that ever since the petitioner had been enlarged on bail, he had been appearing regularly before learned trial Court. However, due to misunderstanding of the date of hearing i.e. 19.8.2016, which he took as 19.9.2016, he committed default in appearance and the trial court cancelled his bail, forfeited the bonds and issued warrant of arrest against him. The default in appearance was neither

willful nor intentional.

Final report and report of Chemical Examiner is yet to be filed by the prosecution.

Considering the facts and circumstances and without commenting on merits of the case, the present petition is disposed of with a direction to the petitioner to appear before learned trial Court within seven days from today. On his appearance, he will be admitted to bail subject to his furnishing fresh bail/ surety bonds to the satisfaction of learned trial Court. However, the trial Court shall be at liberty to initiate the proceedings under Section 446 Cr.P.C. against the petitioner.

22.11.2016
gsv

(SNEH PRASHAR)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No