

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43810 of 2016
DECIDED ON: December 07, 2016

CHARANJIT SINGH @ CHANNI

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Bhupinder Pal Kaur Brar, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case FIR No.405, dated 06.09.2013, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Tripuri, Patiala.

2. Notice of motion.

3. At the instance of this Court, Mr. RPS Sidhu, AAG, Punjab has accepted notice on behalf of respondent-State. Copy of the paper book be supplied to learned State counsel during the course of the day.

4. Heard.

5. Undisputably, the petitioner was granted the concession of bail by the ld. trial court and he has been regularly appearing before the Judge Special Court, Patiala. Even, on 19.09.2016, statement of petitioner was recorded under

Section 313 Cr.P.C. and case was listed for defence evidence to be produced on 27.09.2016, but on the date, the petitioner could not appear before the trial court as he was suffering from Typhoid. However, immediately on coming to know about the cancellation of bail bonds and bail orders as well as issuance of non-bailable warrants of arrest, he approached this Court by way of instant petition. The absence of the petitioner on 27.09.2016 does not appear to be either intentional or wilful but on account of the reason that he was suffering from typhoid. Moreover, the trial is also at its penultimate as it is listed for defence evidence.

6. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case and its maintainability, the instant petition is disposed of with the direction to the petitioner to appear/surrender before the Chief Judicial Magistrate/Duty Magistrate within a period of 7 days from the date of receipt of certified copy of this order and on his appearance/surrender before the CJM/Duty Magistrate, he shall be released on bail at its satisfaction.

December 07, 2016
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*