

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

CRM-M-44789-2016

Date of decision: 15.12.2016

Baldev Singh alias Gulu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.RK Dadwal, Advocate for the petitioner

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.165 dated 19.11.2014 registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Goindwal Sahib, District Tarn Taran.

Notice of motion.

On asking of the Court, Mr.Ankur Jain, Assistant Advocate General, Punjab accepts notice on behalf of the respondent State.

Learned counsel for the petitioner submits that the petitioner noted the date of hearing of the case as 17.10.2016 whereas the date actually given was ultimately found to be 7.10.2016. The mistake on part of the petitioner committed due to inadvertence led to default in

appearance on 7.10.2016 and the trial court on the said date cancelled his bail, forfeited the bonds and issued nonailable warrant against him. The default in appearance was neither willful nor intentional.

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 on or before 19.12.2016. On his appearance, he will be admitted to bail subject to his furnishing fresh bail/ surety bonds to the satisfaction of learned trial Court. The trial Court, however, shall be at liberty to initiate proceedings under Section 446 Cr.P.C. against the petitioner.

15.12.2016
gsv

(SNEH PRASHAR)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No