

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7229 of 2016 (O&M)

Date of Decision: 29.02.2016

Rajveer Kaur @ Billi

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.S. Bhatti, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Present petition has been filed under Section 438 Cr.P.C seeking the concession of pre-arrest bail to the petitioner in case F.I.R. No.63 dated 27.6.2015 under sections 22, 61, 85 of N.D.P.S Act, registered at Police Station, Mahilpur, District Hoshiarpur.

As per prosecution version, an alleged recovery of 50 grams of intoxicant powder was effected from the petitioner. As per pleadings on record interim bail was granted to the petitioner by the Trial Court on the basis that the report of the Chemical Examiner was still awaited. Thereafter, the petitioner evaded the process of law and did not appear before the Trial Court on 15.12.2015 and on account of which the concession of bail has been canceled and non-bailable warrants of arrest have been issued.

The present petition and the prayer made therein is sought to be justified on the strength of a medical certificate placed on record at Annexure P-3. Counsel would argue that it is on account of a medical ailment that the petitioner did not appear on 15.12.2015.

Perusal of the medical certificate would show that the same has been filled up on a typed proforma. The same apparently shows a health

condition of bronchitis asthma, whereas while arguing the matter counsel would submit that the petitioner was down with chickenpox.

Under such circumstances, the prayer made in the present petition cannot be accepted.

At this stage, counsel for the petitioner makes an alternate prayer and furnishes an undertaking that the petitioner would duly surrender before the Trial Court within a period of one week from today and if, thereafter, an application seeking regular bail is filed, directions be issued for deciding such application forthwith.

As per statement made by counsel, present petition is dismissed as withdrawn.

However, it is observed that in case the petitioner surrenders within a period of one week from today and thereafter files an application for regular bail, the same will be considered and decided strictly on merits and court would make every endeavor to expedite the disposal of the same.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.02.2016
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