

CRM-M-10855-2017

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

CRM-M-10855-2017

Date of Decision: 30.03.2017

Mukesh Kumar @ Mintu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Chandan Singh Rana, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Mukesh Kumar @ Mintu has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.62 dated 27.04.2016, registered at Police Station Daba, District Ludhiana, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion.

On the asking of Court, Mr. V.P.S.Sidhu, AAG, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the order dated 06.06.2016 (Annexure P-1), the petitioner was released on regular bail. However during the pendency of trial, he absented from the court proceedings on

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07.01.2017 and, therefore, his bail was cancelled and non-bailable warrants were issued against him.

Learned counsel for the petitioner states that absence of the petitioner was not intentional.

Keeping in view the facts and circumstances of the present case and in view of the facts that absence of the petitioner is only on one date during the trial and recovery effected from the petitioner falls in non-commercial quantity, I find that trial of the case will take a long time, therefore, no useful purpose will be served by sending the petitioner to custody. Finding merit in the present petition, the same is allowed, subject to the fact that the petitioner will surrender before learned trial Court within seven days from today. On doing so, he shall be released on anticipatory bail by learned trial Court to its satisfaction.

30.03.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No