

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

**CRL. MISC. No.M-12157 OF 2017 (O&M)
DATE OF DECISION : 17th APRIL, 2017**

Karaj Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Rajesh Kumar Girdhar, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Ms. Rajni Gupta, Addl. A.G. Punjab accepts notice on behalf of the State.

Rule heard forthwith with consent of counsel for the rival parties.

This is a petition for grant of anticipatory bail to the petitioner in FIR No.86 dated 28.08.2015 registered under Sections 21/61/85 of NDPS Act at Police Station City, Malout, District Sri Muktsar Sahib.

It is difficult to understand as to how the petition for anticipatory bail is maintainable in the instant matter where the petitioner was already on regular bail. During the trial the trial Court issued non-bailable warrant for securing his presence.

Be that as it may, since the liberty of the petitioner is involved and since the petitioner was attending the trial before the trial Court but for a few dates on which he remained absent the petitioner obviously was responsible for obstructing the trial. I therefore, do not

find any fault with the order of the trial Court in issuing non-bailable warrant for securing his presence. However, I think the petitioner should be given a chance to appear before the trial Court by way of last chance by furnishing fresh bail bonds along with undertaking that he would not jump the bail and would participate in the trial till its completion. In case the petitioner again jumps the bail the trial Court will be at liberty to take him in custody.

In that view of the matter, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) Impugned order dated 14.02.2017 (Annexure P-2) passed by the Additional Sessions Judge, Sri Muktsar Sahib is set aside.
- (iii) The petitioner is granted bail in FIR No.86 dated 28.08.2015 registered under Sections 21/61/85 of NDPS Act at Police Station City, Malout, District Sri Muktsar Sahib, on furnishing fresh bail bonds with the condition that the petitioner shall file affidavit as aforesaid, subject to deposit of ₹2000 as costs to be forfeited to the State of Punjab.
- (iv) The petitioner would continue to appear before the trial Court with promptitude till the completion of trial.

Disposed of accordingly.

17TH APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.