

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 205

Case No. : Crl. Misc. No. M-1568 of 2017

Date of Decision : March 08, 2017

Sikanadar		Petitioner
vs.		
State of Punjab		Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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Present : Mr. A. P. S. Sandhu, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. :

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks the grant of anticipatory bail in FIR No.331 dated 07.12.2014, registered under Sections 21 and 22 of the NDPS Act, 1985 at Police Station Sadar, Amritsar City, District Amritsar.

While issuing notice of motion on 19.01.2017, this Court had granted ad-interim anticipatory bail to the petitioner, subject to his surrender before the trial court.

As per the prosecution case, the petitioner was found in possession of 1000 intoxicant tablets and for such offence, he was arrested on 10.12.2014. However, on 11.09.2015, under provisions of Section 167

warrants were issued against the petitioner on his non-appearance before the trial court on 06.05.2016. It is in these circumstances that the petitioner had sought anticipatory bail.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the trial court but only on one date i.e. 06.05.2016, he could not appear as he had met with an accident on 04.05.2016, in which he had a fracture on his right hand. Medical Certificate from a Government Hospital has been appended with the petition as Annexure P-2. He further submits that as directed by this Court, the petitioner has surrendered before the trial court and on such surrender, had been admitted to bail after furnishing surety and bail bonds to the satisfaction of the trial court.

Learned counsel for the petitioner undertakes that on all subsequent dates before the trial court, the petitioner shall regularly appear before the Court unless specifically exempted.

Keeping in view the above facts and particularly the undertaking given by the counsel for the petitioner on behalf of the petitioner, the present petition is allowed and order dated 19.01.2017 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the conditions prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

If the petitioner is found indulging in any other criminal act or misusing the concession of bail granted by this Court, it would be open to

the State to seek cancellation of bail granted through this order by filing an appropriate application before the competent Court/this Court.

(DEEPAK SIBAL)
JUDGE

March 08, 2017
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<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>