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

**CRM-M-19653 of 2017**

**Date of decision: July 03, 2017**

Amarjit Singh @ Amba

.....Petitioner

Versus

State of Punjab

.....Respondent

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

**Present:** Mr. Ashok Giri, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

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**A.B. CHAUDHARI, J (Oral)**

Rule. Heard forthwith with the consent of learned counsel for the rival parties.

This is a petition for grant of anticipatory bail to the petitioner in FIR No.63 dated 14.07.2015, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act'), registered at Police Station Nurmahal, District Jalandhar.

As rightly pointed out by the learned State counsel, the petitioner, in normal ordinary course would not be entitled to grant of bail, in view of the fact that he has, in his credit 14 prosecutions out of which, he has been convicted in 7 cases. However, this Court is inclined to allow the petitioner to be at liberty during the pendency of the trial in FIR in question, because the petitioner was, in fact, on bail, but then jumped bail and that is why the bail has been cancelled and non-bailable warrants have been issued.

Learned counsel for the petitioner has invited my attention to Annexure P-1, which is the certificate from the Hospital showing that the petitioner was suffering from sciatica and was under treatment for the relevant period. Learned counsel for the petitioner, on instructions from the petitioner, also undertakes that hereinafter, the petitioner would regularly appear before the trial Court to face the trial and would not indulge in any other offence under any Act. The undertaking shall be furnished within a period of 2 weeks from today. Since the petitioner appears to be regular offender and remained absent before the trial Court, it would be appropriate to award compensation to the State of Punjab in the sum of ₹25,000/- as a condition for the present order.

In that view of the matter, the petitioner shall be released on anticipatory bail on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned who may impose such conditions as deem fit and proper. The impugned order cancelling bail of the petitioner and issuing non-bailable warrants stands set aside, subject to the petitioner depositing ₹25,000/- as a condition for the present order, with the trial Court within a period of 2 weeks from today, payable to the State of Punjab. In default, the trial Court shall take the petitioner in custody. Petitioner shall file undertaking before the trial Court within a period of 2 weeks that he would regularly appear before the trial Court to face the trial and

would not indulge in any other offence under any Act. Petitioner shall promptly attend the trial Court till the trial is completed. Liberty is reserved in favour of the trial Court to take him in custody in case the petitioner making any default. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

Petition stands disposed of, accordingly.

**(A.B. CHAUDHARI)**  
**JUDGE**

**July 03, 2017**

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No