

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

CRL. MISC. No.M-21349 OF 2017
DATE OF DECISION : 7th JULY, 2017

Surinder Kumar Chawla

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Deepak Aggarwal, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.189 dated 25.08.2016 registered under Section 21 NDPS at Police Station Kotwali, District Bathinda.

Notice of motion.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab accepts notice on behalf of the State.

Rule heard forthwith with consent of counsel for the parties.

It is not in dispute that the petitioner was granted regular bail by the trial Court in.

Pending trial the petitioner however, failed to appear before the trial Court on 03.05.2017 and that is why the trial Court issued non-bailable warrant and also cancelled his bail in the aforesaid FIR.

Learned counsel for the petitioner, on instructions from the petitioner, makes statement that the petitioner hereafter would not remain absent from the trial Court and shall cooperate with the trial Court for disposal of the trial.

In that view of the matter, without finding any fault with impugned order, I think the petitioner should be given a chance to be at liberty as he was already on bail but for his absence on 03.05.2017 his bail was cancelled.

In the result, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) Impugned order dated 03.05.2017 passed by learned Judge, Special Court, Bathinda issuing non-bailable warrant, is set aside.
- (iii) The petitioner is granted anticipatory bail in FIR No.189 dated 25.08.2016 registered under Section 21 of NDPS Act at Police Station Kotwali, District Bathinda, on the bail bonds earlier furnished by him before the trial Court.
- (iv) The petitioner would appear before the concerned Court, in the above said FIR, with promptitude till the completion of trial.
- (v) Any further failure on the part of the petitioner shall result into trial Court taking him in custody.

Disposed of accordingly.

7TH JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No.</i>