

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

**CRM No. M-24762 OF 2017 (O&M)
DECIDED ON : 28.07.2017**

Kanwar Pal Singh @ Kaka

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Rajesh Duhan, Advocate,
for the petitioner.

Mr. H. S. Grewal, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.194 dated 04.10.2014 under Section 15 of NDPS Act registered at Police Station Sadar Patiala, District Patiala.

Learned counsel for the petitioner contends that allegations against the petitioner are that 09 kgs of poppy husk was recovered from his possession and he had been granted regular bail by the trial Court vide order dated 31.10.2014. He further contends that the petitioner had been appearing before the trial Court on each and every occasion, except 25.10.2016, whereon his application for exemption from personal appearance was dismissed and his bail bonds were cancelled.

Learned counsel also contends that petitioner is an illiterate truck driver and was not aware of the consequences of

his non-appearance on one date. He undertakes that the petitioner will appear on each and every occasion henceforth, except due to unforeseen circumstances for which he shall move an application.

Heard.

It would be in the interest of justice, if the petitioner is given an opportunity to appear before the trial Court after protection from his arrest keeping in view that he is illiterate and had been appearing in Court on earlier occasions.

In view of the above and without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner Kanwar Pal Singh @ Kaka is directed to appear before the trial Court within ten days from today and on his doing so, he shall be released on bail subject to his furnishing bail and surety bonds to the satisfaction of trial court. However, it is made clear that in case the petitioner does not appear before the trial court within ten days from now, this order shall be deemed to have been vacated.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 28, 2017
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |