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

CRM-M-28551 of 2017

Date of decision: August 08, 2017

Joga Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. L.S. Mann, Advocate the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mr. Ramandeep Sandhu, Sr.

DAG Punjab accepts notice on behalf of the State.

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

It is not in dispute that in FIR case No.43 dated
01.04.2010, under Sections 18, 61, 85 of Narcotic Drugs and
Psychotropic Substance Act, 1985, registered at Police Station Dakha,
District Ludhiana Rural, the petitioner was on regular bail. However,
on 02.03.2015 and the date earlier to that, he remained absent. The
trial Court observed that due to the absence of the petitioner, the trial
was being obstructed. The trial Court has rightly observed so and I
find no fault with the said observation. The trial Court then cancelled
the bail of the petitioner.

I, however, find that it would be appropriate to allow the

petitioner to be at liberty by way of last chance to face the trial, particularly, because co-accused has been acquitted and the case is pending since 2010.

In that view of the matter, impugned order dated 02.03.2015 cancelling bail of the petitioner, is quashed. Petitioner to continue on bail on the same bail bonds till the trial is completed, subject to deposit of ₹10,000/- with the trial Court to be forfeited to the State of Punjab. If the petitioner remains absent, liberty is reserved in favour of the trial Court to take him in custody.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 08, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No