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

CRM-M-28790 of 2017

Date of decision: August 09, 2017

Rakesh Kumar @ Gabbar

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Sandeep Gahlawat, 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 the said case FIR No.76 dated
14.03.2015, under Section 22 of Narcotic Drugs and Psychotropic
Substance Act, 1985, registered at Police Station Patti, District Tarn
Taran, the petitioner was ordered to be released on regular bail by this
Court, vide order dated 28.10.2015 in CRM-M-22620 of 2015. The
petitioner continued to be on bail. Thereafter, the challan was filed and
the petitioner remained absent and as such, the trial Court cancelled his
bail and issued non-bailable warrants vide impugned order dated
10.07.2017. In my opinion, the petitioner having been released on
regular bail by this Court, should be given a chance to continue to be

on bail during trial, particularly because the learned counsel for the petitioner states that there is no other case against the petitioner. However, since the petitioner has caused inconvenience to the Court, he have to pay costs in the sum of ₹5,000/- payable to the State of Punjab by depositing the same with the trial Court, as a pre-condition for being at large.

In that view of the matter, the impugned order 10.07.2017 is quashed. The petitioner shall be released on bail upon furnishing fresh bail bonds, subject to paying costs in the sum of ₹5,000/- payable to the State of Punjab by depositing the same with the trial Court, as a pre-condition for being at large.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 09, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No