

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

CRL. MISC. No.M-30063 OF 2017 (O&M)
DATE OF DECISION : 25th AUGUST, 2017

Laxmi Narayan

.... Petitioner

Versus

State of Punjab

.... Respondent

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

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Present : Mr. Animesh Sharma, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.93 dated 08.06.2013 registered under Sections 22, 61, 85 NDPS at Police Station Urban Estate, District Patiala.

Notice of motion.

Ms. Samina Dhir, D.A.G. Punjab, accepts notice on behalf of the State of Punjab.

Rule.

Heard forthwith with consent of counsel for the rival parties.

It is not in dispute that the petitioner was on regular bail in the above said FIR. However, when the case was called out for trial on 02.06.2017, in the first session the petitioner was found to be absent and therefore the Court has cancelled bail bonds and issued non-bailable warrants. Thereafter, the petitioner on the same date appeared and the Court marked his presence and took him in custody.

Learned counsel for the petitioner submits that the petitioner would attend Court hereinafter with promptitude for disposal of the case.

In that view of the matter, I do not find any fault with the impugned order. However, I find that the liberty of the petitioner need not be curtailed since he was granted regular bail by the Court earlier.

In that view of the matter, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-30063 OF 2017 is allowed.
- (iii) The order dated 02.06.2017 is set aside.
- (iv) The petitioner is granted bail in the present FIR on the bail bonds earlier submitted by him.
- (v) The petitioner shall continue to appear before the trial Court with promptitude till the completion of trial.
- (vi) Any further failure on the part of the petitioner shall result into taking him in custody by the trial Court.

Disposed of accordingly.

25TH AUGUST, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*