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

**CRM-M-34785-2017
Date of Decision: 18.09.2017**

Gurpreet Singh @ Babbu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. P.K.S. Phoolka, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

Notice of motion.

[2]. On the asking of the Court, Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

[3]. In this petition, the petitioner seeks anticipatory bail in connection with FIR No.219, dated 29.11.2015, under Section 15/61/85 of the Narcotics Drugs and Psychotropic Substances Act, registered at Police Station Nathana, District Bathinda along with further prayer for staying his arrest.

[4]. His contention is that he was on confirmed bail in the aforesaid case but could not appear in Court on one solitary date (09.08.2017) on account of miscommunication of the date on the part of his counsel/clerk. As such his bail was cancelled.

[5]. According to the FIR (Annexure P-1), the contraband seized from the petitioner was non-commercial. Considering that the petitioner was already on confirmed bail and the process was issued against him due to his

solitary non-appearance on the single date, the present petition is allowed and impugned order dated 09.08.2017 (Annexure P-2) is set aside subject to the condition that the petitioner shall surrender before the Trial Court within a week from date, after which his fresh application for bail may be considered and the Ld. Trial Court shall pass order thereupon on merits.

[6]. Disposed off.

18.09.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No