

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

CRM-M-35316-2017 (O&M)

Date of decision: - 26.9.2017

Gurjit Singh @ Kaka

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr. Ajay Sharma, Advocate for
Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J (ORAL)

This is a petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 37 dated 22.6.2015, under Sections 22/61/85 of NDPS Act registered at Police Station Rajpura, District Patiala.

Learned counsel for the petitioner submits that petitioner was granted bail under Section 167(2) Cr. P.C. by giving benefit by the trial Court. Thereafter, petitioner was regularly appearing before the trial Court. Challan was presented on 2.5.2016 and on the next date i.e. 4.5.2016, petitioner could not appear due to minor accident and his bail bonds were forfeited. He further submits that immediately thereafter, petitioner appeared before the trial court on 19.5.2017 and was taken in custody.

It is further submitted that the petitioner is not involved in such other or similar cases and on account of unavoidable circumstance, he could not appear before the trial Court on 4.5.2017.

Learned State counsel, on instructions from ASI, Swaran Singh has not disputed the factual position.

Without commenting upon merits of the case, present petition is allowed. Petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

26.9.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No