

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

CRM-M-39118 of 2016 (O&M)

Date of decision: 31.01.2017

Baldev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Shivender, Advocate for
Mr. B.S. Bhalla, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.98 dated 07.06.2015, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station City Moga.

It is contended that the petitioner has been regularly appearing before the trial Court. On 05.07.2016, the mother of the petitioner had suddenly fell ill, therefore, the petitioner could not appear before the trial Court on the said date. The absence of the petitioner is neither wilful nor intentional.

On the other hand, the learned State counsel opposes the

bail application.

Heard.

Vide order dated 11.09.2015, the petitioner was admitted to interim bail, however, he could not appear before the trial Court on 05.07.2016. No cogent reason has come qua the non appearance of the petitioner. The petitioner has misused the concession of bail, therefore, no case for pre-arrest bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

31.01.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No