

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

**CRM-M No.38429 of 2017
Date of Decision : 12.10.2017**

Gurjinder Singh @ Ginder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ranjit Saini, Advocate for
Mr. Ranjit Sharma, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Notice of motion.

On asking of the Court, Mr. Luvinder Sofat, Asstt. Advocate General, Punjab accepts notice on behalf of the respondent-State. A copy of the paper book be handed over to him during the course of the day.

In the present petition filed under Section 438 of the Cr.P.C., the petitioner seeks his release on anticipatory bail. He was earlier on bail in the case arising out of the FIR No.5, dated 11th January, 2016 of the Court of Ld. Additional District & Sessions Judge, Tarn Taran.

The petitioner failed to appear on one of the date being 17th August, 2017 on account of which a non-bailable warrant of arrest was issued against him and his bail bonds were cancelled.

Contention of the petitioner before this Court is that he could not appear on that solitary date on account of fever and therefore seeks intervention of this Court.

Considering the ground made out in the petitioner's application as also the fact that recovery from him was of a very small quantity, the present petition is allowed. Operation of the impugned order passed by the Ld. Trial Court is stayed subject to the condition that the petitioner shall surrender before the Ld. Trial Court within 10 days from today and apply for fresh bail after which his application may be disposed off by the Ld. Trial Court expeditiously.

October 12, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No