

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40400-2017

Date of decision: 30.10.2017

Sarabjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Sahil Puri, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

1. Prayer in the instant petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 71 dated 05.05.2015 registered under Section 22 of the NDPS Act at Police Station Sadar, District Kapurthala.
2. Earlier the petitioner was granted regular bail by this Court vide order dated 16.05.2017 (Annexure P-2).
3. Learned counsel for the petitioner contends that after the grant of regular bail by this Court vide order Annexure P-2, the petitioner was regularly appearing before the trial Court, but on account of a clerical mistake of the clerk of his counsel, the petitioner could not appear on 14.09.2017. Therefore, his bail bonds and surety bonds were forfeited and he was summoned through non-bailable warrants. The absence of the petitioner was not willful or deliberate.
4. Considering the overall facts and circumstances of the case, the instant petition is disposed of with a direction to the petitioner to surrender before the trial Court on or before 10.11.2017 and his application for bail shall be decided by the Court within two days.

October 30, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No