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

CRM-M-48328 of 2017

Date of decision: December 16, 2017

Ranjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. A.S. Sekhon, Advocate the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mr. Ramandeep Sandhu, Sr.

DAG Punjab accepts notice on behalf of the State.

Rule. Heard forthwith.

Petitioner seeks anticipatory bail in FIR No.74 dated 03.05.2017, under Sections 29, 22, 61, 85 of Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 42 of Prisons Act, registered at Police Station City (Kotwali) Faridkot, District Faridkot.

It is not in dispute that the petitioner was already on regular bail in FIR in question. When the trial commenced, petitioner remained absent on 08.11.2017. as such, the trial Court having called out the case and called for the petitioner since he did not appear, issued non-bailable warrants for his arrest. According to the learned counsel for the petitioner, petitioner was sitting under the sun-light at the distance of the trial Court and could not hear the call. That is the

reason given in ground No.5 of the petition. The trial Court did not consider the said reason appropriate and rejected the plea for anticipatory bail.

Whether or not the reason given by the petitioner is correct or not, I think there is no point in pushing the petitioner behind bars when he was already on regular bail. The FIR in question also relates to the year 2017. The trial will take its own time. That is not desirable to put him in custody as under trial till the trial is completed. Trial will take its own time and that is why, I think the petitioner should be released on bail.

In that view of the matter, impugned order dated 05.12.2017 is set aside. The petitioner shall appear before the trial Court and furnish fresh bail bonds to the satisfaction of the trial Judge and shall deposit costs in the sum of ₹2,000/- with the trial Court payable to the State of Punjab. The petitioner shall appear before the trial Court with promptitude and cooperate with the trial Court in the conduct of the trial.

Disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

December 16, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No