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

CRM-M-48575 of 2017

Date of decision: December 20, 2017

Rajan

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Prashant Vashisth, 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.140 dated 25.05.2014, under Section 22, 61, 85 of Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Basti Jodhewal, Ludhiana City.

In FIR in question, according to learned counsel for the petitioner, the petitioner was on bail that was made by the trial Court. However, the petitioner remained absent on 11.09.2017 and as such, the trial Court recorded his absence and issued non-bailable warrants for securing his appearance.

Learned counsel for the petitioner, on instructions from the petitioner makes a categorical statement that hereinafter, the petitioner

would appear before the trial Court with promptitude and shall not make any default in appearance.

Without finding any fault with the trial Court's order, since the petitioner was already released on bail, I do not think there is no point taking away the said relief from him merely because he was absent on one date, i.e. 11.09.2017. The petitioner thus, ought to be given a chance to be at liberty.

In that view of the matter, petitioner shall be released on bail fresh bail bonds to the satisfaction of the trial Court, subject to deposit of of ₹10,000/- with the trial Court payable to the State of Punjab. Liberty to take him in custody in case he remained absent.

Disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

December 20, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No