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

CRM-M-48689 of 2017

Date of decision: December 20, 2017

Rahul Dean

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Chandan Singh Rana, 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.9 dated 17.01.2017, under Section 22 of Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Division No.7, District Ludhiana.

In FIR in question, the petitioner was on interim regular bail that was made by the trial Court. However, the petitioner remained absent on 30.10.2017 and as such, the Judge, Special Court, Ludhiana recorded his absence and issued non-bailable warrants for securing his appearance. The trial Court rejected his application for anticipatory bail.

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 interim regular 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. 30.10.2017. 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 ₹2,000/- 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