

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

CRM-M No.2180 of 2018

Date of Decision : 19.01.2018

Sawaran Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Jaswinder S. Grewal, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Notice of motion.

2. 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.

3. In this petition filed under Section 438 of the Cr.P.C., the petitioner seeks his release on anticipatory bail in case FIR No.12, dated 4th February, 2015 registered under Sections 15, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bahawala, Tehsil Abohar, District Fazilka.

4. The petitioner was already on regular bail earlier but absented from the proceedings on 20th September, 2017 after having sought exemption from his appearance for that date which was allowed.

On the next dated fixed i.e. 9th October, 2017 he again absented. His prayer for exemption from appearance on that day was rejected by the Ld. Trial Court which was of the opinion that due to such conduct adopted by the petitioner, the trial was getting delayed as much as the witness present on the earlier date, could not be examined on account of his absence. From his side, the petitioner has explained that he is a Truck Driver by profession and in connection with his professional obligations had to take his truck outside in the State of West Bengal. He could not return in time due to heavy rains which had ostensibly blocked the highways.

5. Considering the grounds made in the present petition, one opportunity is granted to the petitioner.

6. Operation of the impugned order vide which non-bailable warrants of arrest was issued against petitioner is stayed for a week from today with a direction upon him to surrender before the Ld. Trial Court and seek fresh bail.

7. This order shall automatically stand vacated with effect from 29th Januaryy, 2018.

8. Disposed off.

January 19, 2018

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No