

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

**CRM-M-23695-2018
Decided on : 06.06.2018**

Arshvir Singh @ Arsh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Vishal Khatri, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. read with Section 482 Cr.P.C. in case bearing FIR No.5 dated 07.01.2017 under Sections 18/61/85 of NDPS Act registered at Police Station, Model Town, Ludhiana.

Notice of motion.

Mr. IPS Doabia, Addl. AG, Punjab accepts notice on behalf of respondent-State. Copy of the paper-book be supplied during the course of the day.

The petitioner did not put in appearance on 16.03.2018. before the trial Court. Resultantly, his bail bonds were cancelled and surety bonds were also cancelled and forfeited to the State. He was summoned through non-bailable warrants for 16.05.2018 vide the order dated 16.03.2018 (Annexure P-5). The anticipatory bail application was dismissed by the Special Judge, Ludhiana on 16.05.2018 (Annexure P-6) and the ground that he met with an accident when he had gone to Ambala was not believed as he

had not made any attempt to immediately approach the Court. Resultantly, the present application has been filed.

It is to be noticed that there is consistency in his conduct as such, since on an earlier occasion also his bail was cancelled on 05.09.2017 and, thereafter, he had approached this Court in **CRM-46365-2017** and he was directed to surrender before the trial Court and to file an application for bail and trial Court was to consider the same and admit him on bail on his furnishing of bail bonds and surety bonds to its satisfaction.

Accordingly, keeping in view the above, the present petition is disposed of by directions to the petitioner to appear before the trial Court on 03.07.2018. He will file an application for grant of bail and on his furnishing fresh bail bonds and surety bonds, the trial Court shall admit him on bail to its satisfaction. However, the Court will be at liberty to complete the proceedings of the notice which was issued to his surety. On account of the lapse of the petitioner, he shall also deposit ₹10,000/- as costs which will be deposited with the District Legal Services Authority, Ludhiana. The bail will be subject to the deposit of the cost.

The petition is disposed off with the abovesaid observations.

JUNE 06, 2018
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No