

CRM-M-24043-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24043-2018

Date of Decision: 30th May, 2018

Karnail Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Harmanpreet Sehgal, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of anticipatory bail in FIR No.44 dated 29.05.2015, registered at Police Station Kabarwala, District Sri Muktsar Sahib, under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act.

It is the contention of the learned counsel for the petitioner that initially, the petitioner was granted bail by the trial Court, where the allegations are that five grams of heroin was recovered from him. He contends that all through the petitioner had been appearing on each and every date fixed by the trial Court but because of the ill-health, he could not inform his counsel or put in appearance before the trial Court on 22.05.2018, resulting in the cancellation of his bail/surety bonds and forfeiture thereof to the State. Arrest warrants have been issued against the petitioner. Counsel contends that the non-appearance on the part of the petitioner was neither intentional nor deliberate and in support thereof, he

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has placed reliance upon the medical certificate dated 21.05.2018 (Annexure P-3) appended along with the petition.

Counsel states that the petitioner would appear before the trial Court on 04.06.2018 before the Judge Special Court/Duty Judge, Sri Muktsar Sahib and surrender to his jurisdiction. Counsel further states that on his surrender, petitioner shall move an application for grant of bail, which may be considered by the said Court.

In case the petitioner surrenders before the Judge Special Court/Duty Judge, Sri Muktsar Sahib, on 04.06.2018 and moves an application for grant of bail, petitioner shall be admitted to interim bail and the said order be confirmed by the concerned Court, in case, it is found that it was the first occasion when the petitioner has absented himself from appearing before the trial Court. If it is found otherwise, the interim bail granted by this Court shall cease to operate.

The present petition stands disposed of with above observations.

30th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No