

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

**Criminal Misc. No. M-31286-2018
Date of Decision: 26.07.2018**

Vinay Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manuj Chadha, Advocate for the petitioner.

...

Inderjit Singh, J.

Petitioner-Vinay Kumar has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.256 dated 18.11.2016, registered at Police Station Division No.7 (Vardhman), District Ludhiana City, Punjab, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued.

On the asking of Court, Mr. Pawan Sharda, DAG, Punjab, has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Perusal of the record shows that the petitioner was on regular bail and earlier he was regularly appearing before the trial Court. He absented from the court proceedings only on one date i.e. 04.07.2018 and the next date before the trial Court is 09.08.2018.

Learned counsel for the petitioner submits that the absence of

the petitioner was not intentional. The reason for his absence from the Court was that he noted down a wrong date.

Keeping in view the facts and circumstances of the present case and the fact that earlier the petitioner was regularly appearing before the trial Court and absented only on one date; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find trial of the case will take a long time and no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to surrender before the trial Court within 10 days from today and on doing so, he shall be released on bail by the trial Court to its satisfaction.

26.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No