

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

CRM-M-34573-2018 (O&M)

Date of Decision:- 16.8.2018

Rajinder alias Bajju

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pawan Attri, Advocate, for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Rajinder alias Bajju has filed this petition seeking grant of regular bail in respect of a case registered against him vide FIR No.147 dated 20.8.2016 under Sections 21-61-85 of NDPS Act, Police Station Rajound, Kaithal.

The petitioner is being tried for offence under Section 21 of NDPS Act for having allegedly been found in possession of 70 grams of Smack. The petitioner had been granted regular bail and had been appearing regularly before the learned trial Court. However, on account of his absence before the learned trial Court on 21.3.2018, his bail was cancelled. Subsequently he was arrested on 7.5.2018.

Notice of this petition was issued to the State.

Learned State counsel has opposed the present petition.

Learned counsel for the petitioner has submitted that absence of the petitioner on 21.3.2018 was the first instance of default on his part and that in any case, as of now he has been behind bars for more than 3 months after cancellation of bail.

Having heard the learned counsel for the petitioner and also the learned State counsel and bearing in mind that the petitioner has been behind bars since the last about 3 months after cancellation of bail, the said period would serve sufficient deterrent for the petitioner to be more careful in future. The petition, as such, is accepted. Petitioner Rajinder alias Bajju is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court.

It is however made clear that the petitioner shall ensure that the prosecution witnesses are duly cross-examined whenever they appear in the Court and no adjournment is sought on his behalf. The trial Court shall be at liberty to pass any appropriate order in case there is any such default on part of petitioner in delaying the conclusion of trial.

August 16, 2018

mohan

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No