

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

**CRM-M No. 34583 of 2018
Decided on: 13.8.2018**

Rohit Kumar **.....Petitioner**

Versus

State of Punjab **.....Respondent**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Prashant Vashisth, Advocate, for the petitioner

Rajbir Sehrawat, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 97 dated 25.4.2017, under Sections 22 of NDPS Act, 1985, registered at Police Station Sadar, Khanna, District Ludhiana.

Learned counsel for the petitioner contends and has also pleaded in the petition that the petitioner has been regularly appearing before the Court. However, on two-three dates, he could not appear due to ill health, which compelled the Court to cancel his bail and to issue warrants of arrest. It is further contended by the counsel that the petitioner has no intention to flee from the course of justice. He would regularly appear before the trial Court. The prayer made is only that the petitioner be protected from the arrest.

Notice of motion

Mr. K.S. Aulakh, DAG, Punjab, accepts notice on behalf of the State.

Heard.

The objective of the coercive mechanism prescribed under the

Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 21.8.2018. It is further directed that in case, the petitioner so appears before the trial Court then the petitioner shall be released on bail on his furnishing bail bond/surety to the satisfaction of the trial Court.

(RAJBIR SEHRAWAT)
JUDGE

13.8.2018

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No