

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-35306-2018

Date of Decision:21.08.2018

Sukhwinder Singh @ Sinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.179 dated 07.08.2014 under Section 22 of the NDPS Act, registered at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner states that it is on account of noting down the wrong date, the petitioner could not appear before the trial court on 09.05.2018 and his bail bonds and surety bonds were cancelled and forfeited to the State. However, immediately after passing the order dated 09.05.2018, petitioner has appeared before the trial court on 10.05.2018 and since then he is in custody. Though there are other cases against him but he is on bail in all cases.

Learned State Counsel has argued that plea of the petitioner that he has noted a wrong date is not substantiated by any evidence.

However, he is not sure as to whether the petitioner is on bail in other cases.

I have heard learned counsel for the parties.

It is not in dispute that the petitioner has not appeared before the trial court on 09.05.2018 though he was on bail. Thereafter, on 10.05.2018, he surrendered before the trial court and since then he is in custody. The plea of noting a wrong date though not substantiated with any evidence, but as the petitioner surrendered before the trial court on 10.05.2018 deserves to be accepted.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that the petitioner would not be entitled to take any benefit of the present order in any other case.

August 21, 2018

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No