

Sr. No.105

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

**CRM-M-35641-2018
Date of decision:20.08.2018**

Paramjit Singh @ Sunny

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Suresh Kumar Arya, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking anticipatory bail in FIR No.52 dated 18.04.2015 for the offences punishable under Section 22/61/85 of the NDPS Act registered at Police Station Division No.2, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner was granted bail in this very case by the Trial Court. He was attending the trial regularly. However, on one date he could not appear before the Court due to family function and the petitioner has filed an application for exemption from personal appearance before the trial Court. However, Trial Court dismissed the application and canceled the bail of the petitioner. The petitioner apprehends his arrest. It is further contended by counsel for the petitioner that he has no intention to flee from the course of justice. The prayer is only that the petitioner be protected from the arrest.

Notice of motion.

On the asking of the Court, Shri Hitten Nehra, Addl.AG,

Punjab accepts notice on behalf of the State of Punjab and submits that he has no objection if the petitioner appears before the Trial Court.

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 21.08.2018. 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.

20th August, 2018

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes*

Whether Reportable *No*