

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-42815-2018

Date of Decision: 27.09.2018

Shanti Kunwar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Charanpreet Singh, Advocate for the petitioner.

...

Inderjit Singh, J.

Petitioner Shanti Kunwar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in pursuance of non-bailable warrants issued against the petitioner by learned Judge, Special Court, Ludhiana vide order dated 03.08.2018 in case FIR No.164 dated 14.09.2016, registered at police Station, G.R.P., District Ludhiana, under Section 20 of NDPS Act, 1985.

Notice of motion.

On the asking of Court, Ms. Monika Jalota, DAG, Punjab, has accepted notice on behalf of 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.

From the record, I find that the petitioner absented from the court proceedings only on one date i.e. 03.08.2018. It is the case of the petitioner that she was regularly appearing before the trial Court after the grant of bail and her absence from the Court proceedings was not intentional.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time and, therefore, 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, she shall be released on bail by the trial Court to its satisfaction. If the petitioner fails to appear before the trial Court within the stipulated period, instant petition shall be treated as dismissed.

27.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No