

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-45198-2018

Date of Decision: 12.10.2018

Jatinder Pal

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Varinder Basa, Advocate for the petitioner.

...

Inderjit Singh, J.

Petitioner Jatinder Pal has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.240 dated 01.12.2017, registered at Police Station Civil Lines, Batala, District Gurdaspur, under Section 21 of NDPS Act, 1985.

Notice of motion.

On the asking of the Court, Ms. Monika Jalota, DAG, Punjab, accepts notice on behalf of respondent-State.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Perusal of the record shows that the challan in the present case had been presented in the absence of accused/petitioner-Jatinder Pal. Notice was sent to him, which was received back unserved with the report that he did not met at home and is evading his service and the trial Court had summoned him through non-bailable warrant.

As the petitioner is already on regular bail granted in this case and he is only to face the trial, which will take a long time, therefore, no

useful purpose will be served by sending him to custody.

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 merit in this petition and the same is allowed. The petitioner is directed to surrender before the trial Court within 10 days from today and on doing so, he shall be released on bail by the trial Court to its satisfaction. If the petitioner fails to surrender before the trial Court within the stipulated period, instant petition shall be treated as dismissed.

12.10.2018

Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No