

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-45471 of 2018

Date of Decision: 16.10.2018

Dinesh Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Tarundeep Kumar, Advocate for
Mr. D.S. Pheruman, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.446 dated 17.11.2014 Section 22 NDPS Act and Section 61 of the Punjab Excise Act, 1914 registered at Police Station A-Division, District Amritsar City.

Learned counsel for the petitioner states that the petitioner is a handicap to the extent of 85% and was granted bail also. However, on 14.09.2018, as the condition of the petitioner deteriorated in the Court premises, he was taken back to his house and thus, he could not appear before the trial Court. By the time his mother went to Court to make a request for exemption from personal appearance, the bail bond and surety bond of the petitioner were forfeited and non-bailable warrants were issued

against him. He further states that the petitioner is ready to appear before the trial Court and undertakes that in future, he will not absent himself and will not delay the trial.

Notice of motion.

On the asking of the Court, Mr. Tanvir Joshi, AAG, Punjab accepts notice on behalf of the State.

Let requisite number of copies of the paper book be given to learned State counsel during the course of the day.

Considering the fact that the petitioner is a handicap to the extent of 85% and was on bail, the present petition is disposed of with a direction to the petitioner to appear before the trial Court within a week. In case the petitioner appears before the trial Court within a week, he shall be admitted on bail subject to furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court.

October 16, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No