

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

CRM-M No.49202 of 2017 (O&M)

Decided on: 16.03.2018

Gurpinder Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Karan Choudhary, Advocate
for the petitioner.

Ms.Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.62 dated 19.10.2015 registered under Section 22/61 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dera Baba Nanak, District Batala.

On 19.01.2018, the following order was passed by this Court:-

*“Petitioner seeks concession of pre arrest bail in case
FIR No.62 dated 19.10.2015, under Sections 22/61/85 of*

CRM-M No.49202 of 2017 (O&M)

NDPS Act, registered at Police Station Dera Baba Nanak, District Batala.

As per prosecution version, an alleged recovery of 50 intoxicant capsules was effected from the petitioner on 19.10.2015.

Petitioner was granted concession of bail in the light of order dated 21.12.2015 passed by the Judge Special Court, Gurdaspur on the ground that report of Chemical Examiner has not been received.

Apparently, petitioner having not appeared before the trial Court on 27.10.2017, the concession of bail was cancelled and he was ordered to be summoned through non-bailable warrants.

State counsel who is on instructions from HC Manjeet Singh, Police Station Dera Baba Nanak, District Batala concedes that report of the Chemical Examiner is still awaited.

It is the contention of the counsel for the petitioner that non-appearance before the trial Court on 27.10.2017 was on account of bonafide reasons and there was no intent to evade the trial proceedings.

List on 20.02.2018.

In the meanwhile, it is directed that in case the petitioner puts in appearance before the trial Court on the date already fixed i.e. 23.01.2018, he would be admitted to interim bail subject to satisfaction of the trial Court.”

Counsel representing the petitioner has furnished in Court today copy of order dated 23.01.2018, passed by the learned Judge, Special Court, Gurdaspur and which would reflect that petitioner has put in appearance before the trial Court and has been admitted to interim bail in the sum of Rs.1 lac with one surety in the like amount. Copy of the

CRM-M No.49202 of 2017 (O&M)

order dated 23.01.2018 passed by the trial Court is taken on record as Mark 'A'.

Petitioner having joined the proceedings before the trial Court, the prayer is accepted.

Order dated 19.01.2018 passed by this Court is made absolute.

Disposed of.

[TEJINDER SINGH DHINDSA]
JUDGE

March 16, 2018
sachin

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No