

CRM-M-51886-2018

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

CRM-M-51886-2018

Date of Decision: 27.11.2018

Bittu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.V.S.Chugh, Advocate,
for the petitioner.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.161 dated 19.12.2017, registered at Police Station Mamdot, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued.

On the asking of Court, Ms. Monika Jalota, DAG, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

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

From the record, I find that the petitioner absented himself from the court proceedings on 07.08.2018; his bail was cancelled and warrant of arrest was issued against him.

CRM-M-51886-2018

Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court on the relevant date as clerk of his counsel had wrongly noted down the date as 07.09.2018 instead of 07.08.2018.

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 no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, 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.

27.11.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No