

S.No.104

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

CRM-M-53322 of 2018 (O&M)

Date of Decision:03.12.2018

Ranjit Singh @ Neetu

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Prashant Vashisth, Advocate
for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.131 dated 22.08.2017 registered under Section 22 of NDPS Act at Police Station Dehlon, Ludhiana.

Counsel for the petitioner contends that the petitioner was already granted bail pending trial by the Court in this case. However, due to unavoidable circumstances, the petitioner could not appear before the Court on 07.09.2018 because the date was wrongly noted by him as 19th September, 2018. As a result, the bail of the petitioner was cancelled on 07.09.2018 and warrants of arrest have been issued against him. Therefore, he apprehends his arrest. It is further contended that the petitioner has no intention to flee from course of justice. He would again appear regularly before the trial Court. The only prayer is that the petitioner be protected against his arrest.

Notice of motion.

Mr. Hittan Nehra, Addl. AG, Punjab, accepts notice on behalf of the State. Learned State Counsel does not have any objection if the

petitioner appears before the trial Court.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 12.12.2018. It is further directed that in case the petitioner so appears before the trial Court on or before 12.12.2018 then he shall be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

December 03, 2018
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(RAJBIR SEHRAWAT)
JUDGE

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