

Sr. No.108

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

**CRM-M-54242-2018
Date of decision:7.12.2018**

Vinod Kumar @ Laddi

.....Petitioner

versus

State of Punjab

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Akshay Sandhir, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking anticipatory bail in FIR No.183, dated 01.06.2014 for the offences punishable under Section 22 of the NDPS Act registered at Police Station Chherretta, District Amritsar City.

Learned counsel for the petitioner contends that in this very case, the petitioner was granted regular bail. The petitioner had been appearing regularly before the Trial Court for the past more than 4 years. However, on 19.11.2018, the petitioner could not appear before the Trial Court because of the unavoidable family circumstances. As a result, the bail of the petitioner has been canceled and non-bailable warrants have been issued against him. It is further contended that the petitioner has no intention to flee from the course of justice. He intends to appear before the Trail Court. The only prayer is that the petitioner be protected from the arrest.

Notice of motion.

On the asking of the Court, Shri Hitten Nehra, Addl.AG, Punjab accepts notice on behalf of the State of Punjab and submits that he has no 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 18.12.2018. It is further directed that in case, the petitioner so appears before the trial Court then the petitioner shall be released on bail on his furnishing bail bond/surety to the satisfaction of the Trial Court.

7th December, 2018

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*