

CRM-M-55168-2018

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

CRM-M-55168-2018

Date of Decision: 15.12.2018

Rajinder Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.113 dated 20.04.2016, registered at Police Station Sadar Tohana, District Fatehabad, under Sections 21 and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion.

On the asking of Court, Mr. Tanuj Sharma, AAG, Haryana 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.

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From the record, I find that the petitioner absented himself from the court proceedings on 10.08.2018 and moved application seeking exemption from his personal appearance on the ground of illness. The said application was dismissed by the trial Court; bail of the petitioner was cancelled and warrant of arrest was issued against him. Thereafter, the petitioner filed application for anticipatory bail which has also been dismissed by learned Additional Sessions Judge, Fatehabad vide order dated 06.12.2018.

Keeping in view the facts that the petitioner was stated to be ill on 10.08.2018 and moved application seeking exemption from personal appearance on the very first day and in view of the fact that trial of the case may take a long time, I find that no useful purpose will be served by sending the petitioner to custody, Therefore, finding merit in the present 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.

15.12.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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