

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

CRM-M-3115-2019

Date of Decision: 24.01.2019

JATINDER KUMAR @ NIKKA

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohd. Yousaf, 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.60, dated 13.04.2018, registered at Police Station Bhogpur, District Jalandhar, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion.

On the asking of the Court, Mr. Dhruv Dayal, Sr. DAG, Punjab, has accepted notice on behalf of respondent-State and contested this petition.

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

Perusal of the record shows that 17 grams of intoxicant powder has been recovered from the present petitioner and he was already on regular bail. He absented himself from the court proceedings only on one date i.e. 23.10.2018.

Learned counsel for the petitioner states that the petitioner

could not appear in the Court on the said date due to wrong noting down of the date.

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 may take a long time and, therefore, 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 appear before the trial Court within the stipulated period, instant petition shall be treated as dismissed.

24.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No