

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

**209**

**CRM-M No.3203 of 2019.  
Date of Decision: 26.02.2019.**

Budh Ram

....Petitioner.

Versus

State of Punjab

....Respondent.

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**CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN**

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**Present:** Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab.

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**Shekher Dhawan, J.**

Present petition under Section 438 of the Criminal Procedure Code (for short, 'Cr.P.C.') is for grant of anticipatory bail to the petitioner in case F.I.R. No.61 dated 26.05.2018 under Section 22 of the N.D.P.S. Act, registered at Police Station Lambra, District Jalandhar.

Learned counsel representing the petitioner contended that the petitioner was allegedly found to be in possession of 35 grams of intoxicant substance and was arrested on 26.05.2018 and thereafter, he was admitted to bail. Subsequently, his bail was cancelled because of his absence.

Learned State counsel, on instructions from HC Jugraj Singh, has fairly conceded that the petitioner is not involved in any other case under N.D.P.S. Act and earlier he was admitted to bail in this case.

In view of the above, the present petition is accepted and in case the petitioner surrenders before learned trial Judge within a period of one week and moves an application for fresh bail, he shall be released on bail, on his furnishing fresh bail bond and surety bond to the satisfaction of learned trial Judge. However, learned trial Judge shall be at liberty to complete proceedings under Section 446 Cr.P.C.

(SHEKHER DHAWAN)  
JUDGE

**26.02.2019**

*jitender*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No