

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

**CRM-M-14110-2019
Date of decision-28.03.2019**

Ramandeep Singh @ Rinku

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.S.Bhalla, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.89 dated 24.05.2017 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station City South, District Moga.

Learned counsel for the petitioner contends that the trial Court had granted the concession of anticipatory bail to the petitioner on 31.08.2017 and thereafter, the petitioner kept on appearing before the Court regularly. It was on 15.03.2019, the petitioner absented himself and the Court proceeded to cancel his bail and forfeited the bail bonds. It is submitted that the the petitioner had noted the wrong date as 16.03.2019 instead of 15.03.2019 and caused absence on the given date.

Learned counsel for the petitioner makes a prayer to treat the petition under Section 482 Cr.P.C. The prayer is accepted.

Notice of motion.

At the asking of the Court, Mr. Harsimar Singh Sitta, AAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Many a times, the accused can be prevented by sufficient reasons to put an appearance before the Court on a given date and therefore, it necessarily cannot be construed as a deliberate and willful absence. The explanation offered for non appearance before the trial Court is justified and therefore, the same is accepted.

Considering the above sequence of events, the impugned order dated 15.03.2019 (Annexure P-1) is set aside and the petitioner is allowed to remain on the same bail bonds and surety bonds.

Disposed off.

(MANOJ BAJAJ)
JUDGE

28.03.2019

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Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No