

**CRM-M-17869-2019**

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

**CRM-M-17869-2019**

**Date of Decision: 23.04.2019**

Bogha Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Vineet Sharma, Advocate for  
Mr. Deepak Aggarwal, 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.209 dated 25.09.2018, registered at Police Station Sangat, District Bathinda, under Section 15 of the NDPS Act, 1985.

Notice of motion.

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

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

From the record, I find that as per the prosecution version, recovery effected from the present petitioner is only 3 kg of poppy husk.

Earlier, the petitioner was on regular bail and he absented himself from the court proceedings on 27.02.2019.

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Learned counsel for the petitioner submits that absence of the petitioner was not intentional, rather he mistook the date.

The trial of case may take a long time. No useful purpose will be served by sending the petitioner to custody and then to keep him in custody till the final disposal of the case.

Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to surrender before the trial Court within ten 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, then this petition shall be treated as dismissed.

**23.04.2019**

parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |