

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

**CRM-M No. 21197 of 2019
Date of Decision:-14.05.2019**

Harjinder Singh @ Babbu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Harjinder Singh @ Babbu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.35 dated 03.3.2017, under Section 22/61/85 of NDPS Act and Section 25 (added later on) of the NDPS Act (Act No.61 of 1985 dated 16th September, 1985) , registered at Police Station Laddowal, Ludhiana.

As per FIR, the petitioner was apprehended by the police party headed by ASI Kashmir Singh, Anti Narcotic Cell-2, Ludhiana, on 03.3.2017 in the area of Seed Farm Chowk, Laddowal-Hambran, Ludhiana and 90 grams of Heroin was recovered from his possession without any permit or license.

Learned counsel for the petitioner contends that the petitioner was released on bail in the present FIR by learned Judge Special Court, Ludhiana vide order dated 06.4.2017 as the alleged recovery was non-commercial in nature. Thereafter, due to noting of wrong date, the petitioner absented himself from the Court on 01.10.2018, due to which his bail bonds were cancelled and non-bailable warrants were issued against him. The petitioner surrendered before the trial Court on 03.4.2019 and since then he is in custody.

Learned State counsel, assisted by ASI Raj Kumar has opposed the prayer for grant of bail to the petitioner on the ground that the petitioner has intentionally absented himself from the trial from 01.10.2018 to 03.4.2019.

Considering the conduct of the petitioner, who absented himself for such a long period, i.e. from 01.10.2018 to 03.4.2019, no ground for grant of regular bail to the petitioner is made out.

Resultantly, the petition is hereby dismissed.

May 14, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No