

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-21371 of 2019

Date of Decision: 10.05.2019

Rajwinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Jimmy Singla, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 164 dated 12.07.2017, registered under Section(s) 15 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Patran, District Patiala.

Learned counsel for the petitioner contended that petitioner, who was facing trial against the allegation of recovery of 4 kgs. of poppy husk, was admitted to regular bail as per the order dated 27.10.2017, passed by the learned Judge, Special Court, Patiala and had been regularly appearing before the learned trial Court, but he mistook the date as 28.03.2019 instead of 27.03.2019. As such, his bail bonds and surety bonds were cancelled on 27.03.2019, otherwise there was no reason for him not to appear before the learned trial Court. Learned counsel further contended that petitioner is ready to furnish fresh bail bonds.

On asking of the Court, Mr. Rajat Bansal, Assistant Advocate General, Punjab accepts notice on behalf of respondent. A copy of paper-book be provided to him during the course of the day.

In view of the grounds taken in the petition and the submissions made by learned counsel for the petitioner, present petition stands disposed of with the directions that in case petitioner surrenders before the learned trial Judge within a period of one week from today and moves an application for admitting him to bail, the trial Court shall admit him to bail on his furnishing fresh bail bonds and surety bonds to its satisfaction. However, the learned trial Judge shall be at liberty to complete the proceedings against the petitioner under Section 446 Cr.P.C.

(Shekher Dhawan)
Judge

May 10, 2019
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No