

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

Sr. No.102

**CRM-M-22310-2019
DECIDED ON: May 16, 2019**

MANJIT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rishu Mahajan, Advocate, for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Section 438 Cr. P.C. for grant of anticipatory bail to the petitioner in case FIR No.156, dated 02.11.2017 under Section 21 of NDPS Act, 1985, registered at Police Station Kamboj, District Amritsar.

It is contended by counsel for the petitioner that in this very case, the petitioner was earlier granted bail vide order dated 24.11.2017. The petitioner continued appearing before the trial Court. However, on 18.09.2018, the petitioner could not appear. As a result, the bail granted to the petitioner has been cancelled and warrants of arrest has been issued against him. Therefore, he apprehends of his arrest. It is further submitted by learned counsel for the petitioner that the non-appearance before the trial Court was not intentional on the part of the petitioner. Instead, the petitioner had wrongly noted the date to be 28.09.2018 in place of actual date, i.e., 18.09.2018.

CRM-M-22310-2019

However, the petitioner does not have any intention to flee from course of justice. He intends to appear before the trial Court to face further proceedings in accordance with law. The only prayer is that the petitioner be protected against his arrest.

Notice of motion.

Mr. Prabhjot Singh Walia, AAG, Punjab, accepts notice on behalf of the State. Learned State Counsel does not have any objection if the petitioner appears before the trial Court to face further proceedings.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 22.05.2019. It is further directed that in case the petitioner so appears before the trial Court on or before 22.05.2019 then he shall be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

May 16, 2019

Ankur

**(RAJBIR SEHRAWAT)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No