

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22353-2019(O&M)

Date of Order:16.05.2019

Kulwinder Kumar @ Monu

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. AGS Dhillon, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Prayer in the petition is to grant anticipatory bail to the petitioner in FIR No.108 dated 21.10.2017 registered under Sections 22/61/85 of the Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station Nurmehal, District Jalandhar.

Although, petition for grant of anticipatory bail is not maintainable as held by a Coordinate Bench of this Court in CRM-M-15464-2019, however, keeping in view the facts of the case, the present petition is treated as a petition under Section 482 Cr.P.C. The allegations against the petitioner are that he was in possession of 20 gram alprazolam, which is non-commercial quantity. Petitioner was released on regular bail, however, he did not attend the hearing of the case on 12.04.2019 which resulted into issuance of non-bailable warrants. It is claimed by the petitioner that he noted a wrong date i.e. 17.04.2019 and it is on account thereof could not appear before the court on 12.04.2019. Petitioner applied for anticipatory bail which was dismissed by the court on 06.05.2019. The

purpose of issuance of non-bailable warrants is to secure the presence.

Petitioner is willing to appear before the Court.

Keeping in view the aforesaid facts, petitioner is directed to appear before the trial court on 31.05.2019, the date already fixed and apply for regular bail. If such application is filed, the court would release the petitioner on furnishing of fresh surety/bails bonds to its satisfaction. Petitioner would also be required to give undertaking that he would attend each and every date enabling the learned trial court to conclude the trial expeditiously.

Disposed of accordingly.

May 16, 2019
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(ANIL KSHETARPAL)
JUDGE

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