

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

**CRM-M No.49925 of 2017 (O&M)
Date of Decision: 08.05.2019**

Gulshan Kumar @ Lucky

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Paramjit Singh Brar, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.130 dated 19.10.2013, under Sections 25/22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sangat, District Bathinda.

This Court, while issuing notice of motion on 16.01.2018, passed the following order:-

“ Learned counsel for the petitioner alleges that earlier the petitioner was on bail but on 4.12.2017, he could not appear before the learned trial court due to some eye problem. In support of his contention, he has placed on file an affidavit. However, the learned trial court cancelled his bail bonds and the petitioner was summoned to face trial through nonbailable warrants of arrest.

Notice of motion for 19.4.2018.

In the meanwhile, the petitioner is directed to surrender before the learned trial court on or before 22.1.2018 and join the proceedings before the learned trial Court. In the event of his doing so, he be treated on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the learned trial court. ”

It is contended by learned Counsel for the petitioner that in pursuance of the above order, petitioner has already joined the proceedings and regularly appearing before learned trial Court.

Learned State Counsel, on instructions from SI Bogha Singh, has acknowledged the aforesaid factual position and submitted that trial is fixed on 09.05.2019 for arguments.

In view of above, interim order dated 16.01.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the learned trial Court and will not seek unnecessary adjournments.

The observations may not be considered as an expression of opinion on the merits of the case.

May 08, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>