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

CRM-M-32888 of 2019 (O&M)

Date of decision: September 19, 2019

Gursewak Singh @ Swak Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.37 dated 23.07.2018, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City 1 Sangrur, District Sangrur.

On 08.08.2019, while issuing notice of motion, this Court has passed the following order:-

“The alleged recovery is 2.5 Kgs. of Poppy Husk.

It transpires that on account of some miscommunication with the Counsel of learned trial Court, petitioner could not appear on 11.07.2019 and that led to the cancellation of bail bonds and surety bonds.

Notice of motion for 19.09.2019.

In the meanwhile, the petitioner is directed to surrender before learned trial Court. On his doing so, he shall be released on interim bail in the present case till the

next date of hearing subject to the satisfaction of learned trial Court.”

Learned counsel for the petitioner contends that in terms of interim order dated 08.08.2019 passed by this Court, the petitioner has joined proceedings before learned trial Court and has also furnished necessary bail/surety bonds. He has also submitted that now the petitioner is appearing regularly before learned trial Court.

The above factual position is duly acknowledged by learned State counsel, on instructions from Assistant Sub Inspector Narinder Singh.

In view of the above, order dated 08.08.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the learned trial Court for conducting smooth trial without seeking any unnecessary adjournments.

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

(MAHABIR SINGH SINDHU)
JUDGE

September 19, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No