

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

CRM-M-34476-2019(O&M)

Date of Order: 26.08.2019

MOHAMMAD KHALID

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S.Marahar, Advocate, for the petitioner.

ANIL KSHETARPAL, J(Oral)

Petitioner prays for grant of pre-arrest bail in FIR No.77, dated 14.07.2018, registered under Section 15 of the NDPS Act, 1985, at Police Station City II, Malerkotla, District Sangrur, Punjab.

Although, petition under Section 438 of the Code of Criminal Procedure is not maintainable, however, on the oral prayer made by learned counsel for the petitioner, this petition is treated as one file under Section 482 Cr.P.C. Learned counsel for the petitioner submits that the petitioner would appear before the trial Court within 10 days and furnish fresh bail bonds.

The alleged recovery from the petitioner is 16 Kg Poppy Husk which falls under non-commercial category. Petitioner was granted concession of bail by the learned trial Court. However, on 30.07.2019, petitioner was absent due to which his bail bonds were forfeited and warrants of arrest were ordered to be issued.

Notice of motion.

On asking of Court, Mr. Bhupender Beniwal, AAG, Punjab, accepts notice on behalf of the State. A copy of the petition be handed over to Mr. Bhupender Beniwal, AAG, Punjab, during the course of the day.

Keeping in view the fact that the petitioner is ready to appear before the learned trial Court and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned trial Court, the present petition is disposed of with a direction to the petitioner to appear before the learned trial Court within 10 days and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned trial Court. He would be required to file affidavit that he continue appearing before the learned trial Court unless exemption from appearance is granted by the Court in advance. The order passed by this Court is subject to the condition as noticed above.

August 26, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: **Yes/No**