

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36623-2019
Date of decision-02.09.2019

Gurbir Singh @ Gora

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. I.P.Singh, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Gurbir Singh @ Gora has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.0077 dated 29.06.2018 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station Jhabhal, District Tarn Taran.

Learned counsel for the petitioner contends that on 07.08.2019, the petitioner absented himself and the trial Court proceeded to cancel his bail and forfeited the bail bonds. It is submitted that the petitioner had noted the wrong date as 17.08.2019 instead of 07.08.2019 and caused absence on the given date.

Learned counsel for the petitioner makes a prayer to treat the petition under Section 482 Cr.P.C. The prayer is accepted.

Notice of motion.

At the asking of the Court, Mr. Ramdeep Partap Singh, DAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of

the paper book has been furnished to the learned State counsel, in the Court.

Many a times, the accused or counsel can be prevented by sufficient reasons to put an appearance before the Court on a given date and every such absence cannot be necessarily construed as a deliberate and willful absence. The explanation offered for non appearance before the trial Court appears to be justified and therefore, the same is accepted.

Considering the above, the impugned order dated 07.08.2019 (Annexure P-2) is set aside and the petitioner is allowed to remain on the same bail bonds and surety bonds.

Disposed off.

(MANOJ BAJAJ)
JUDGE

02.09.2019

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No