

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

CRM-M-39705-2019(O&M)

Date of Order: 18.09.2019

Rashpal Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Salil Dev Singh Bali, for the petitioner.

ANIL KSHETARPAL, J(Oral)

Petitioner is an accused in FIR No.105, dated 01.08.2017, registered under Section 15 of NDPS Act, at Police Station Kabarwala, District Sri Muktsar Sahib which is pending trial before the Special Court. Petitioner was granted bail, however, he absented on 28.05.2019, which resulted in cancellation of bail bonds and non-bailable warrants of arrest were issued.

Petitioner is alleged to have been found in possession of 40 kg of poppy husk, which is not of the commercial quantity. Petitioner was granted concession of bail on 14.09.2017. Petitioner claims that he has been regularly appearing before the Court except on 28.05.2019 as he was confined to bed.

The court passed order dated 28.05.2019 cancelling the bail, forfeiting bail bonds and surety bonds to the State and summoned the petitioner through non-bailable warrants on 11.09.2019.

Learned counsel for the petitioner submits that if opportunity is given to the petitioner, he is ready to surrender before the learned Special Court and furnish fresh bail bonds with surety of like amount.

Notice of motion.

On asking of Court, Mr. SPS Tinna, Addl. A.G., Punjab, accepts notice on behalf of the State. A copy of the petition be handed over to Mr. SPS Tinna, Addl. A.G., Punjab, during the course of the day.

This court is of the view that this petition can conveniently be disposed of on the very first date of hearing.

Keeping in view the fact that the petitioner is ready to surrender before the learned Special Court and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned Court, the present petition is disposed of with a direction to the petitioner to appear before the learned Special Court within 10 days from today and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned Court. This order is conditional and would enure to the benefit of the petitioner only if the petitioner complies with the undertaking. He would also be required to file an affidavit that he would continue to appear before the learned Court unless exempted from appearance by the Court in advance. The order passed by this Court is subject to the condition as noticed above.

September 18, 2019
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(ANIL KSHETARPAL)
JUDGE

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