

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41106-2019
Date of decision-24.09.2019

Gurmeet Singh @ Goldi

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jagjit Singh Sarao, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Gurmeet Singh @ Goldi has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.82 dated 28.04.2017 registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act and Section 61 of Punjab Excise Act, 1914 at Police Station Sadar, Patiala, Punjab.

Learned counsel for the petitioner contends that on 21.08.2019, the petitioner absented himself and the trial Court proceeded to cancel his bail and forfeited the bail bonds. He submits that on 21.08.2019, Bar Association Patiala had called for a strike, therefore, the application for exemption from personal appearance could not be made. It is further pointed out that prosecution has examined all the witnesses except one.

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. Hittan Nehra, Addl.AG, 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 21.08.2019 (Annexure P-4) is set aside and the petitioner is allowed to remain on the same bail bonds and surety bonds.

Disposed off.

(MANOJ BAJAJ)
JUDGE

24.09.2019

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