

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-41971 of 2019

Date of Decision: 30.09.2019

Mohammad Shamshad alias Saddu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Saqib Ali Khan, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner, namely Mohammad Shamshad alias Saddu in case FIR No. 91 dated 03.08.2018, registered under Section(s) 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station City-II, Malerkotla, District Sangrur.

Learned counsel for the petitioner contended that petitioner was earlier released on bail in the case, but it was cancelled on 25.07.2019 by the learned trial Judge as he could not appear before the learned trial Court as he was to appear in some other case as well on the same date, otherwise also, there was no reason for him not to appear in the learned trial Court. Learned counsel further contended that he has been regularly appearing before the learned trial Court since 10.09.2018 and now he is ready to furnish fresh bail bonds and surety bonds.

On asking of the Court, Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent. A copy of paper-book be provided to him during the course of the day.

In view of above, present petition stands disposed of with the directions that in case petitioner surrenders before the learned trial Court within a period of one week from today and moves an application for admitting him to regular bail, the learned trial Judge shall release him on regular bail on his furnishing fresh bail bonds and surety bonds. However, the learned trial Judge shall be at liberty to complete the proceedings under Section 446 Cr.P.C. against the petitioner.

(Shekher Dhawan)
Judge

September 30, 2019
“DK”

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