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

CRM-M-45525 of 2019

Date of decision: November 27, 2019

Ashwani Singh @ Ashwani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner in case No.NDPS 401/2018 titled as “State versus Sarabjit Singh etc.” pending in the Court of learned Additional Sessions Judge-cum-Judge Special Court, Tarn Taran, arising out of FIR No.8 dated 16.02.2018, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Sarai Amanat Khan, District Tarn Taran.

On 24.10.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that although an application for exemption from personal appearance was made but the same has been rejected by the learned trial Court. Further contends that petitioner is ready to join the proceedings.

Notice of motion for 08.11.2019.

In the meanwhile, the petitioner is directed to surrender

before the learned trial Court forthwith. In case of his doing so, he will be released on interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to its satisfaction.”

Learned counsel for the petitioner has produced a photocopy of order dated 29.10.2019 passed by the learned Additional Sessions Judge, Tarn Taran, which indicates that the petitioner did join proceedings before the learned trial Court in terms of order dated 24.10.2019 passed by this Court and furnished bail bonds/surety bonds, and the same is marked as 'X'.

The above factual position is duly acknowledged by the learned State counsel, on instructions from ASI Salwinder Singh.

In view of the above, order dated 24.10.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the learned trial Court for conducting smooth trial without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

November 27, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No