

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

101

**CRM-M-45707-2019(O&M)
Date of Order: 25.10.2019**

MANUEL MASIH @ MANNU

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Hittan Nehra, Addl. A.G., Punjab

ANIL KSHETARPAL, J(Oral)

Petitioner prays for grant of pre-arrest bail in FIR No.6, dated 07.01.2018, registered under Section 15 of the NDPS Act, 1985, at Police Station Bhogpur, District Jalandhar.

Although, in the considered view of this court, present petition in the form has been filed, is not maintainable, however, on the oral request of counsel for the petitioner, this petition is treated as one filed under Section 482 Cr.P.C.

Petitioner is an accused facing trial for recovery of 10 kg Poppy Husk (small quantity). He was arrested on 07.01.2018 and granted concession of regular bail on 15.03.2018.

It is contended by learned counsel for the petitioner that due to serious problem in the spine, petitioner could not appear before the Court on 25.04.2019, resulting in cancellation of bail and forfeiture of bail/surety bonds. Non-bailable warrants have been issued to secure the presence of the petitioner.

Learned counsel for the petitioner prays that if the petitioner is

granted one opportunity, he shall surrender before the trial court and file fresh bail bonds with surety of like amount to the satisfaction of the trial court.

Keeping in view the facts of the case and after taking note of the fact that petitioner is not involved in any other case under the NDPS Act as stated by learned counsel for the State, on instructions from ASI Narinder Singh, the present petition is disposed of by directing the petitioner to surrender before the trial court within 10 days from today and furnish fresh bail bonds with surety of like amount. He shall also file an undertaking that he would never remain absent unless in advance his exemption from personal appearance has been granted.

This order is conditional and shall enure to the benefit of the petitioner only if the petitioner complies with the aforesaid directions.

October 25, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No