

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

**CRM-M No.53241 of 2019 (O&M)
Decided on: 13.12.2019**

Lakhwinder Singh @ Lucky

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sanjeev Banga, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.179 dated 02.07.2018, registered under Sections 21/22/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act') at Police Station Sadar, District Tarn Taran.

Counsel for the petitioner has argued that the petitioner was granted regular bail vide order dated 05.11.2019 and was facing the trial, however, he absented from the Court proceedings on 11.09.2019 due to the reason that he was suffering from Dengue and was admitted in the hospital. Thereafter, the trial Court cancelled the bail of the petitioner and forfeited the bail/surety bonds to the State and issued non-bailable warrants against the petitioner.

Counsel for the petitioner has relied upon the medical certificate dated 02.10.2019 to support his arguments. It is further argued that the petitioner is ready to surrender before the trial Court and

face the proceedings, in accordance with law.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is present in the Court accepts notice on behalf of the respondent and on instructions from ASI Surinder Singh, who has come to attend the Court proceedings in other petition i.e. CRM-M No.18290 of 2019, arising out of the same FIR has not disputed the factual position but opposed the prayer for bail.

After hearing the counsel for the parties and considering the fact that the petitioner has not intentionally absented from the Court proceedings and is ready to surrender before the trial Court and face the proceedings, in accordance with law, this petition is allowed and the petitioner is directed to appear before the trial Court and the trial Court will release the petitioner on interim bail subject to his furnishing fresh bail/surety bonds and on payment of costs of Rs.5,000/- to be deposited with the District Legal Services Authority, Tarn Taran.

The payment of costs shall be a pre-condition before accepting the bail/surety bonds of the petitioner.

13.12.2019
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(ARVIND SINGH SANGWAN)
JUDGE

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