

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

103

CRM-M-3645 of 2020
Date of Decision: 28.01.2020

Veer Bhan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Ms. Puja Chopra, Advocate
for the petitioner.

LALIT BATRA, J (ORAL)

Present petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in F.I.R. No.98 dated 31.08.2018 under Section 15 of N.D.P.S. Act, 1985, registered at Police Station Julkan, District Patiala.

Learned counsel for the petitioner *inter alia* contends that as a matter of fact due to mistake in noting down the exact date of hearing before trial Court, petitioner (accused) could not appear in Court on 09.08.2019. She further urges that in fact petitioner had noted down the date of hearing to be 08.09.2019. She further submits that on account of above said default at the instance of petitioner, his appearance is being secured through warrant of arrest by the trial Court.

Notice of motion.

At the asking of the Court, Mr. Harpreet Singh Multani, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-

State. Complete copy of paper book has been supplied to him.

I have heard learned counsel for the parties.

A bare perusal of record reveals that petitioner is facing trial. It appears that on account of mistake in noting down the exact date of hearing, he could not appear before the trial Court on 09.08.2019. At present, appearance of petitioner is being secured by the trial Court by issuance of warrant of arrest against him.

In view of above but without commenting anything on the merits of the case, instant petition moved at the instance of petitioner (Veer Bhan) is allowed in the manner that he shall surrender before trial Court within seven (7) days from today and on surrender, he shall be enlarged on bail as per terms and conditions set out by the trial Court. However, it is made clear that trial Court is at liberty to initiate proceedings under Section 446 Cr.P.C. against the petitioner in accordance with law.

28.01.2020

D.Bansal

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No