

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 3544 of 2020
Date of Decision: 28.01.2020**

Jangeer Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No. 25 dated 7.3.2019, registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Ding, District Sirsa.

Learned counsel for the petitioner submits that after registration of the FIR, the petitioner was granted regular bail on 25.4.2019 (Annexure P-2). Thereafter the petitioner had been regularly appearing before the trial Court. Counsel for the petitioner is relying on the medical record dated 15.12.2019 (Annexure P-4), indicating that the petitioner had fallen ill and due to his ill health, he could not appear before the trial Court on 17.12.2019. Accordingly, bail of the petitioner was cancelled and bail bonds were forfeited to the State and further his arrest warrants were issued.

Notice in this case is not being issued as this would further delay the trial.

In the present case, the petitioner had been regularly appearing

before the trial Court and due to his illness, could not appear before the trial

Court on 17.12.2019.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

Without commenting on the merits of the case, this petition is disposed of with a direction to the petitioner to surrender before the trial Court on 6.2.2020. On doing so, he shall be released on bail subject to his furnishing fresh bail bond/surety bonds to the satisfaction of the trial Court and further subject to petitioner's depositing costs of Rs. 10,000/- with the Shri Guru Granth Sahib Sewa Society (Regd.), opposite New Public School, Sector-18, Chandigarh.

(HARNARESH SINGH GILL)
JUDGE

January 28, 2020
Gurpreet

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