

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

CRM-M-7245-2020

Date of decision: 18.02.2020

Sanjay @ Sanju and another

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Varun Sharma, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C. the petitioner seeks anticipatory bail in case FIR No. 10 dated 10.02.2016 registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Kartarpur, District Jalandhar, wherein on account of alleged absence on 11.12.2019 bail bonds and security bonds of the petitioners have been cancelled and non-bailable warrants of arrest have been issued and recalling of the order dated 11.12.2019 passed by learned Judicial Magistrate 1st Class, Jalandhar.

Learned counsel for the petitioners states that the petitioners were on regular bail but the petitioner absented themselves on 30.10.2019 and accordingly their bail bonds and surety bonds were cancelled vide order dated 11.12.2019. He further states that present FIR was registered way back on 10.02.2016, the petitioners have been appearing on each and every date

and never absented. The petitioners never moved any application for exemption during the proceedings as they were always vigilant to attend the Court. On 20.09.2019, the petitioners have noted wrong date, actually the case was adjourned to 30.10.2019 but the petitioners noted it as 13.01.2020, thus, they absented on 30.10.2019 and the same was unintentional. Now the case is fixed for 29.02.2020.

Heard.

Notice of motion.

On the asking of this Court, Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the respondent-State.

Learned counsel for the petitioners is directed to supply the copy of the paper-book to the learned State counsel during the course of the date itself.

As the petitioners were absent only on one solitary date i.e. 30.10.2019, which was not intentional, therefore, the concession of anticipatory bail is granted to the petitioners.

In view of the above, the petitioners are directed to appear before the trial Court on the adjourned date i.e. on 29.02.2020 and the trial Court shall admit them on bail on furnishing bail and surety bonds to its satisfaction, subject to payment of costs of Rs. 5000/- to be deposited with Shri Guru Granth Sahib Sewa Society (Regd.), opposite New Public School, Sector-18, Chandigarh.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

18.02.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No