

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 7329 of 2020
Date of Decision: 19.2.2020**

Gurjeevan Sharma @ Jeevan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No. 37 dated 8.4.2019, registered under Sections 22, 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Moonak, District Sangrur.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the trial Court since 15.5.2019. As per the learned counsel, the petitioner could not appear before the trial Court on 10.2.2020 due to some unavoidable circumstances and accordingly, bail of the petitioner was cancelled and bail bonds were forfeited to the State and further nonailable warrants of arrest were issued against him.

Notice of motion.

At the asking of the Court, Mr. Dhruv Dayal, Sr. DAG, Punjab, present in Court, accepts notice on behalf of the State. Copy of the paper book has been supplied to him.

In the present case, the petitioner had been regularly appearing before the trial Court and due to some unavoidable circumstances, could not

appear before the trial Court on 10.2.2020.

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 within 10 days from today. 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.

(HARNARESH SINGH GILL)
JUDGE

February 19, 2020
Gurpreet

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