

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

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CRM-M-7810-2020.

Date of Decision: 24.02.2020.

Amritpal Singh alias Amit

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Rituraj Singh, Advocate for the petitioner.

Lalit Batra, J.(Oral)

This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail in F.I.R. No.78 dated 20.05.2017 under Section 22 of the N.D.P.S. Act, 1985, registered at Police Station Model Town, District Hoshiarpur.

Learned counsel for the petitioner *inter alia* contends that in the above said case FIR, petitioner was granted regular bail vide order dated 16.08.2017 and after presentation of challan, petitioner used to appear in Court on each and every date of hearing. He further submits that on 07.11.2019, due to mis-communication of next date of hearing, petitioner could not appear in Court and now his presence is being secured through warrant of arrest returnable for 28.04.2020. He further submits that petitioner is ready to join proceedings of trial.

Notice of motion.

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

Complete copy of paperbook has been supplied to him in Court.

A bare perusal of record of the case reveals that though petitioner used to appear before trial Court on each and every date of hearing but on account of mistake in noting down the exact date of hearing, he could not appear in Court on 07.11.2019. Presence of petitioner is being secured through warrant of arrest by trial Court for 28.04.2020. Since petitioner has shown his keenness to face trial, instant petition for grant of pre-arrest bail to the petitioner is disposed of in the manner that petitioner shall surrender before trial Court within seven days positively from today and on surrender, he shall be enlarged on bail on his furnishing personal/ surety bonds to the satisfaction of 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. Meanwhile, no coercive steps shall be initiated against the petitioner pursuant to warrant of arrest already issued against him.

(LALIT BATRA)
JUDGE

24.02.2020
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No