

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

**101**

**CRM-M-11581-2020.**

**Date of Decision: 19.03.2020.**

Mohan Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

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**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr. Gurmeet Singh Saini, Advocate for  
Mr. Yashpal Thakur, Advocate for petitioner.

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**Lalit Batra, J.(Oral)**

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case F.I.R. No.161 dated 30.07.2016 under Section 15 of the N.D.P.S. Act, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

Learned counsel for petitioner *inter alia* contends that in above said case FIR, petitioner was granted concession of regular bail, vide order dated 02.09.2016 (Annexure P/2) and he used to appear in Court regularly. He further submits that on account of mistake in noting down date of hearing, petitioner did not appear in Court on 05.03.2020. Thus, on cancellation of bail bonds of petitioner on 05.03.2020, his presence has been ordered to be secured through warrant of arrest returnable for 30.03.2020. He further submits that there was no intentional default at the instance of petitioner and he is willing to appear before trial Court.

Notice of motion.

At the asking of Court, Mr. Harbir Sandhu, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State. Complete copy of paperbook has been supplied to him in Court.

In view of above, since petitioner used to appear before trial Court regularly but on account of single default made at his instance and that too unintentional, instant petition is allowed in the manner that petitioner (accused) shall surrender before trial Court on or before 30.03.2020 and on surrender, he shall be enlarged on bail on furnishing personal/surety bonds to the satisfaction of trial Court. Meanwhile, no coercive steps shall be initiated against the petitioner in pursuant to warrant of arrest already issued against him by trial Court.

**(LALIT BATRA)**  
**JUDGE**

**19.03.2020**

*jitender*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No