

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

CRM-M-17092-2020

Date of decision : 03.07.2020

Jagpreet Singh @ Jagga

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Vinay Kumar, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

ALKA SARIN, J.

Heard through video conferencing.

The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.25 dated 23.04.2018 under Sections 306 & 356 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, and 18, 21 & 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Mehta, Amritsar.

Learned counsel for the petitioner has contended that vide order dated 30.05.2018, the petitioner was granted regular bail by the Trial Court. However, due to his non-appearance on 08.11.2019, the bail granted to the petitioner was cancelled and surety bonds have been forfeited to the State. It has been argued by learned counsel for the petitioner that the petitioner did

not appear on 08.11.2019 on account of wrong date being noted by the petitioner and prays for setting aside the order.

Notice of motion.

On the asking of the Court, Ms. Monika Jalota, DAG, Punjab, has put in appearance on behalf of the State through video conferencing. An advance copy of the paper book stands already supplied to her.

I have heard learned counsel for the parties and perused the paper book. Admittedly the petitioner was already on regular bail and had been appearing regularly on each and every date of hearing. The bail of the petitioner was cancelled by the Trial Court on account of his non-appearance on 08.11.2019. Against the said order, the petitioner sought anticipatory bail before the Additional Sessions Judge, Amritsar, which was dismissed, vide order dated 02.03.2020. A perusal of the order dated 02.03.2020 passed by the Additional Sessions Judge, Amritsar, also clearly reveals that the petitioner had been appearing on each and every date of hearing and had absented himself only on 08.11.2019.

Keeping in view the above facts and circumstances of the case, no useful purpose would be served in denying the anticipatory bail to the petitioner. Hence, without commenting on the merits of the case, the petitioner is directed to appear/surrender before the concerned Trial Court within a period of ten days from today and on his doing so, the Trial Court shall release him on bail subject to his furnishing adequate bail and surety bonds to its satisfaction. The arrest of the petitioner is, accordingly, stayed for ten days from today making it clear that in case, the petitioner fails to

surrender/appear before the Trial Court within the stipulated period, any interim protection granted to the petitioner shall automatically stand vacated.

The present petition stands allowed in the aforesaid terms.

03.07.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No