

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

CRM-M-17488-2020 (O&M)

Date of Decision: 14.09.2020

Baljinder Singh @ Ladi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.272, dated 20.11.2017, under Sections 22/61 of the NDPS Act, registered at Police Station Meharban, District Police Commissionerate Ludhiana.

While issuing notice of motion, the following order was passed by this Court on 06.07.2020:

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks anticipatory bail in case FIR No.272, dated 20.11.2017, under Sections 22/61 of the NDPS Act, registered at Police Station Meharban, District Police Commissionerate Ludhiana.

Counsel submits that the petitioner having been arrested was granted regular bail in the present case on 05.01.2018 and thereafter had been appearing regularly before the trial Court. However, on account of registration of a subsequent FIR bearing No.111, dated 24.10.2019 under the NDPS Act, petitioner could not put in appearance before the trial Court on 20.11.2019 as also two subsequent dates i.e. on 15.01.2020 and 18.02.2020. Counsel further informs the Court that the petitioner has now been granted ad interim anticipatory bail in FIR No.111, dated 24.10.2019. It is contended that the intent of the petitioner was not to evade trial proceedings and i.e. only on account of subsequent developments that he had not put in appearance.

Notice of motion, returnable for 14.09.2020.

In the meanwhile, it is directed that in case, the petitioner puts in appearance before the trial Court on the date already fixed i.e. 03.09.2020, he would be entitled to ad interim protection as regards arrest.”

Counsel has forwarded by way of WhatsApp an order dated 11.09.2020 passed by learned Judge, Special Court, Ludhiana and where from it would be clear that the petitioner has put in appearance before the trial Court and has joined trial proceedings.

In view of the above, petition is allowed. Petitioner is directed to furnish bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

Order dated 06.07.2020 passed by this Court is made absolute.

Disposed of.

14.09.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |