

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

CRM-M-25910-2020

DECIDED ON: 21st September, 2020.

GURPREET SINGH @ GOPI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Joginder Pal Devgan, Advocate, for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The petitioner is aggrieved of the order dated 17th August, 2019 of learned Additional Sessions Judge, Tarn Taran cancelling bail in FIR No. 46, dated 24th November, 2018, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kacha Pacca, District Tarn Taran.

As per the FIR there was recovery of 356 tablets of AL-PAM 0.5 mg. The Court below considering the facts of the case granted the interim bail to the petitioner. However, as the petitioner failed to appear on 17th August, 2019 and the bail was cancelled. Petitioner has annexed a medical certificate dated 5th August, 2020, issued by Dr. Karamjit Toor, MBBS, Smt. Joginder Kaur Memorial, Harshil Hospital, Faijon Road, Opp. Baba Madduana Gali, Mahilpur (Hoshiarpur). As per the said certificate petitioner remained admitted for de-addiction from 16th May, 2019 to 27th September, 2019.

It is argued that on the date concerned petitioner was hospitalized.

It is undertaken that henceforth, the petitioner shall ensure to attend each and

every proceeding as and when required or called for.

Learned State counsel opposes the setting aside of order of cancellation of bail stating that petitioner absented himself intentionally.

Considering the medical certificate attached with the petition substantiating the reason for non-appearance, the impugned order dated 17th August, 2019 is set aside. However, petitioner shall furnish fresh surety bonds to the satisfaction of learned trial Court for interim bail already granted.

Disposed of.

21st September, 2020.
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(AVNEESH JHINGAN)
JUDGE

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