

CRM-M-44292-2020 (O&M)

Date of Decision : 30.12.2020

Sameer Salmani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGANPresent :- Mr. K.D. Sachdeva, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

AVNEESH JHINGAN, J.(Oral)

The matter is taken up for hearing through video conference due to Covid-19 situation.

This is a petition under Section 438 of Cr.P.C. seeking pre-arrest bail in FIR No.54, dated 15.03.2020, under Section 21 of NDPS Act, 1985, registered at Police Station Kotwali, Patiala.

There was a recovery of 5.12 grams of smack from the petitioner. The trial court considering the facts granted pre-arrest bail on 01.06.2020. However, the petitioner failed to appear on two dates. The Court was forced to issue non-bailable warrants for 08.01.2021.

Learned counsel for the petitioner submits that there was a communication gap between the petitioner and the counsel due to Covid-19 situation and it was thought that the matter would be adjourned.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab, appears on behalf of the State and accepts notice.

Learned counsel for the State opposed the prayer for anticipatory bail. It is submitted that the petitioner intentionally did not appear after granting the anticipatory bail.

Considering the facts of the case, the petitioner is granted pre-arrest bail in the said FIR subject to payment of cost of ₹10,000/- to be deposited in the Poor Patients Welfare Fund, PGIMER, Sector-12, Chandigarh.

The petition is allowed.

It is made clear that in case the petitioner fails to join the investigation, order made today will cease to have effect without making a reference to the Court.

(AVNEESH JHINGAN)
JUDGE

30.12.2020
Manpreet

Whether reasoned / speaking	Yes
Whether reportable	No