

202-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.451 of 2020
Date of Decision:10.08.2021

DES RAJ @ SHEELA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Bhanvi Sood, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl AG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.155 dated 21.07.2018 registered under Sections 22, 61 and 85 of NDPS Act, at Police Station City Ferozepur, District Ferozepur.

Notice of motion was issued on 09.01.2020 to the following effect:-

"Learned counsel for the petitioner contends that petitioner was granted regular bail by the Judge Special Court, Ferozepur. Thereafter petitioner absented only on 27.11.2019 and his bail has been cancelled and bail bonds and surety bonds have been forfeited to the State. Non-bailable warrants of arrest has been issued against the petitioner for 15.01.2020, besides issuing notice to the surety under Section 446 Cr.P.C.

Notice of motion for 28.02.2020.

In the meanwhile, petitioner is directed to appear before the Judge Special Court, Ferozepur either on the date fixed or prior thereto and in the event of his appearance, he shall be granted interim bail on his furnishing adequate bail bonds/surety bonds subject to the satisfaction of Judge Special Court, Ferozepur.”

Learned State counsel on instructions from ASI Roshan Lal Submits that ASI Jang Singh could not depict true picture on 28.02.2020, resulting in passing of the order against the factual position.

Learned State counsel admits that in compliance of order dated 09.01.2020, petitioner Desh Raj had appeared before the trial Court on 15.01.2020. For providing incorrect information, learned State counsel submits that ASI Jang Singh feels sorry and ensures that he would be more careful in future. The explanation is taken on record.

In view of aforesaid factual position, the interim order dated 09.01.2020 is made absolute. However, petitioner shall keep on appearing before the trial Court regularly.

Petition stands disposed of.

10.08.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No