

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12532-2021 (O&M)

Date of Decision:- 12.8.2021

Junas Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Aggarwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail as he apprehended his arrest consequent upon cancellation of his bail in case FIR No.125, dated 16.6.2019, Police Station Raman, District Bathinda, under Section 21 of NDPS Act, by the trial Court vide order dated 15.2.2021.
2. At the time of issuance of notice of motion on 18.3.2021 the following order was passed:

“Learned counsel for the petitioner contends that the petitioner and co-accused were allegedly found in possession of 12 grams of heroin, which is a ‘non-commercial quantity’ and the petitioner had been granted bail vide order dated 08.08.2019 (Annexure P-2) by the trial Court itself and had been regularly appearing before the trial Court on each and every date except for the dates, which were fixed during the corona period, when the Court itself was not insisting upon the presence of the accused. It has been submitted that somehow on account of the absence of the petitioner on 15.02.2021, his bail has been cancelled.

Learned counsel has submitted that his absence on 15.02.2021 was the first instance of default on his part and that he has otherwise been regularly appearing before the trial Court.

Notice of motion for 12.08.2021.

In the meantime, the petitioner is directed to appear before the trial Court within a fortnight from today. Upon appearance of the petitioner before the trial Court, the trial Court shall release him on interim bail subject to his furnishing personal bonds and surety bonds to its satisfaction.”

3. It has been informed by learned State counsel that pursuant to interim directions, the petitioner has surrendered before the trial Court and has been released on interim bail.
4. Keeping in view the fact that the absence of the petitioner is stated to be first instance of his default and he has now surrendered before the trial Court, the petition is accepted and the interim directions issued

by this Court vide order dated 18.3.2021 are hereby made absolute
subject to the condition that the petitioner shall abide by the
conditions as provided under Section 438 (2) Cr.P.C.

12.8.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No