

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

(Heard through VC)

CRM Nos.13220 & 14347 of 2021 in/and
CRM-M-18006-2021 (O&M)
Date of Decision: May 24, 2021

Shyam Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-14347-2021

This is an application that has been filed seeking to prepone
hearing in the main case, which is now listed for 20.08.2021.

For the reasons mentioned in the application, the same is
allowed. Hearing in the main case is preponed and the same is taken up for
hearing today.

CRM-13220-2021

Allowed as prayed for.

Annexures A-1 and A-2 are taken on record.

CRM-M-18006-2021

The instant petition has been filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.258 dated 28.09.2021, under Sections 22(b), 27-A of NDPS Act, registered at Police Station Sadar Ratia, District Fatehabad.

Counsel for the petitioner herein would contend that in fact, the petitioner had been allowed regular bail by this court in CRM-M-14434-2020 and thereafter, on account of Covid-19 pandemic and the limited functioning of the court, his matter was not being taken up. In fact, when his matter was taken up on 02.02.2021, he did not put in an appearance as he was not aware of the date so fixed, while contending that an application for his personal exemption was moved by his counsel, which stood rejected.

Per contra, counsel for the respondent-State vehemently opposes the petition on the ground of maintainability and that the petitioner herein defaulted in putting an appearance despite the fact that he had full knowledge of the date before the trial court as his mother, co-accused, put in an appearance on the said date.

I have heard learned counsel for the parties and while taking into account the opposition raised by the counsel for the respondent-State that the petitioner herein does not deserve the concession of anticipatory bail, this court is inclined to direct the petitioner to go and surrender before the trial court within a period of one week, on which date he will move an appropriate application for grant of bail. On his doing so, the petitioner be admitted to bail by the trial court to its satisfaction. The petitioner will also file an undertaking before the trial court that he will put in an appearance on each and every date of hearing and any default in his appearance would

automatically result in cancellation of the bail.

The petition stands disposed of.

May 24, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No