

CRM-M-40077-2021

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

CRM-M-40077-2021

Date of decision: 24.09.2021

Sunil Kumar @ Sundri

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chandan Singh Rana, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.76 dated 16.08.2019, registered at Police Station Special Task Force, District STF Wing SAS Nagar, Mohali, under Sections 21 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner was arrested on 16.08.2019, but was released on regular bail on 19.04.2021. On 03.08.2021, the trial Court adjourned the case to 14.09.2021, but the petitioner had noted a wrong date i.e. 17.09.2021 which is why he could not appear before the trial Court on 14.09.2021 and consequently, his bail stood cancelled and bonds forfeited to the State. The petitioner had earlier been regularly appearing before the trial Court. The absence of the petitioner before the trial Court was not intentional.

Notice of motion.

On the asking of this Court, Mr. H.S.Sitta, AAG, Punjab,

accepts notice on behalf of the respondent-State.

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I have heard the learned counsel for the parties.

The petitioner absented himself from the court proceedings on 14.09.2021. The petitioner is now not required for any investigation or interrogation purposes and rather, he is only to face the trial. Therefore, no useful purpose would be served by sending the petitioner to custody.

Keeping in view the above, but without going into the merits of the case, the present petition is allowed and the petitioner is ordered to be released on anticipatory bail, subject to him furnishing the fresh bail/surety bonds within 10 days, to the satisfaction of the trial Court/Duty Magistrate. In case, the petitioner fails to furnish the requisite bonds within the stipulated period, the instant petition shall stand dismissed automatically.

24.09.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No