

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

CRM-M-42695-2021

Date of Decision: 11th October, 2021

Bhupinder Singh @ Bhinda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Amit Arora, Advocate
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in NDPS No. 143 of 2016 arising out of FIR No. 39 dated 14.04.2015 under Sections 21/29 of Narcotic Drugs and Psychotropic substances Act, 1985 registered at Police Station Valtoha, District Tarn Taran.

From the co-accused of the petitioner 500 grams of Heroin was recovered. Petitioner was granted bail vide order dated 13th July, 2015 by this Court. After granting of bail, petitioner was appearing regularly, however, he absented himself on 20th August, 2021. The bail was cancelled and the surety was forfeited.

Learned counsel for the petitioner submits that due to COVID-19, situation case was being adjourned in the routine, petitioner

missed the date. However, establish to his bonafide, Rs.20,000/- will be

deposited before the trial Court, subject to outcome of the trial.

Learned State counsel opposes the grant of anticipatory bail and submits that petitioner intentionally absented himself to delay the trial. The trial is at the stage of defence evidence.

The petitioner is granted anticipatory bail subject to appearing before the trial Court on 19th October, 2021 i.e. the date already fixed and on deposit of Rs. 20,000/-.

The amount deposited shall subject to outcome of trial. During the trial the amount be kept in fixed deposit with nationalized bank. In case of the petitioner's failure to appear as and when called, the same shall be forfeited.

It is clarified that in case petitioner fails to appear before the Court on 19th October, 2021 or to deposit the amount, State shall be at liberty to recalling the order.

(AVNEESH JHINGAN)
JUDGE

11th October, 2021

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No