

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

106

**CRM-M-46397-2021
Date of Decision: 03.11.2021**

Kush @ Bhollu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. L.M.Gulati, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 438 Cr.P.C. for grant of pre-arrest bail has been moved by petitioner-**Kush @ Bhollu** in case FIR No.113 dated 02.05.2021 under Section 21 (b) of NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station Civil Lines, District Police Commissionerate Amritsar.

Learned counsel for the petitioner *inter alia* contends that vide order dated 26.08.2021, petitioner was granted interim pre-arrest bail by this Court in the instant case FIR and in pursuant to said order, petitioner had joined investigation and as such, vide order dated 05.10.2021 passed by this Court in CRM-M-34924-2021 (Annexure P/3), order dated 26.08.2021 granting interim bail to petitioner was made absolute and the petition was disposed of. He further urges that though the matter before Trial Court was fixed for 11.10.2021, petitioner mistakenly noted down the next date of hearing to be 10.11.2021 and on account of this, he could not appear before the Court concerned and as such after cancellation of bail bonds/surety

bonds, appearance of petitioner was ordered to be secured through warrants of arrest returnable for 14.01.2022 as is evident from order dated 11.10.2021 (Annexure P/4) passed by Trial Court. He further urges that petitioner is ready to surrender before the Trial Court and he wants to join the proceedings of the case, thus, appropriate relief may be granted to him.

Notice of motion.

At the asking of Court, Mr. Anmol Singh Sandhu, AAG, Punjab, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him in Court.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

In view of above, instant petition for grant of pre-arrest bail to the petitioner is disposed of in the manner that petitioner-accused is directed to surrender before the Trial Court/ Duty Court, Amritsar, as the case may be, on or before 12.11.2021 and on surrender, he shall be enlarged on bail on his furnishing personal/surety bonds to the satisfaction of Court concerned. Meanwhile, no coercive steps shall be taken against the petitioner pursuant to warrant of arrest already issued against him.

(LALIT BATRA)
JUDGE

03.11.2021

Varinder Prashad

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No