

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48087-2021 (O&M)

Date of decision: 16.11.2021

Subhash Chander Rathore

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.187 dated 09.09.2019 under Sections 22/61/85 of NDPS Act, registered at Police Station City Jagraon, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner was granted regular bail on 26.10.2020 by this Court and was regularly appearing before the trial Court, however, on 31.08.2021, his wife was in the advanced stage of pregnancy and she had to undergo urgent medical treatment, as fetus died in the womb and on that account, the petitioner could not appear before the trial Court and his bail/surety bonds were cancelled and non-bailable warrants were issued against him on 08.10.2021. It is further submitted that the petitioner will surrender before the trial Court and will apply for fresh bail.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything further on merits of the case and considering the fact that it is first fault on the part of the petitioner, this petition is allowed. The petitioner is directed to surrender before the trial Court within a period of 10 days from today and the trial Court will release him on bail subject to his furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will deposit the costs of Rs.5,000/- with the District Legal Services Authority, Ludhiana.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

16.11.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No