

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-49601-2021
Date of Decision : 26.11.2021

Satwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.16 dated 22.01.2020 registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Special Task Force, District S.A.S Nagar, Mohali (Local Police Station Dehlon, District Ludhiana).

Learned counsel for the petitioner submits that the bail bonds of the petitioner have been cancelled by the trial Court on the ground that the petitioner failed to appear before the trial Court on 11.10.2021. Learned counsel for the petitioner further submits that as there was blockade due to the farmer's agitation, the petitioner could not appear and the said non-appearance of the petitioner was not at all intentional but, due to the

unavoidable/unforseen circumstances. Learned counsel for the petitioner submits that the petitioner is ready to join the proceedings before the trial Court now and will not remain absent on any date without any valid justification and even if there will be any valid reason, prior permission of the competent Court will be obtained.

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, who is present in the Court accepts notice on behalf of the respondent-State and submits that as the petitioner has violated the terms and conditions of his bail bonds, the trial Court had no option but to cancel his bail bonds.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the petitioner has got concession of bail, it becomes his duty to comply with all the terms and conditions of the bail. Further, in case of any valid justification of not attending the proceedings, prior permission of the competent Court has to be obtained by the petitioner. Though, the petitioner could not attend the proceedings on 11.10.2021 due to blockade caused by farmer's agitation, but, the same should have been brought to the notice of the trial Court by the learned counsel appearing on behalf of the petitioner.

Be that as it may, as the default being alleged against the petitioner is only of a particular date and now the petitioner has undertaken before this Court that henceforth he will attend all the proceedings without fail, the trial Court is directed to accept fresh bail bonds of the petitioner and allow him to join proceedings with clear undertaking that he will comply with all the terms and conditions of the bail bond during the trial.

The present petition stands allowed in above terms.

November 26, 2021

(HARSIMRAN SINGH SETHI)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No