

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

CRM-M No.50840 of 2021 (O&M)

Date of decision: 07.12.2021

Nirvail Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case No.NDPS 817 of 2018, titled as “State vs Ajaypal Singh, etc.”, arising out of FIR No.44 dated 04.07.2018 registered under Sections 21, 29 of the NDPS Act, at Police Station Khalra, District Tarn Taran.

Counsel for the petitioner has argued that the petitioner was earlier granted the concession of anticipatory bail by this Court vide order dated 10.12.2018 and thereafter, he joined the investigation and challan was presented against him and charges were framed and thereafter, the case was fixed for prosecution evidence and as many as 15 dates for production of PWs were taken, however, none was present. Counsel for the petitioner, in this regard, has relied upon the intervening orders passed by the Judge, Special Court. It is further submitted that on 25.10.2021, on account of noting a wrong date, the bail/surety bonds of the petitioner were cancelled and non-bailable

warrants have been issued for 22.12.2021. It is also argued that the petitioner is ready to appear before the trial Court within a period of 10 days from today and apply for fresh bail.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is present in the Court accepts notice on behalf of the respondent – State and has not disputed the factual position.

After hearing the counsel for the parties, considering the averments made in the petition and also the fact that the petitioner is ready to appear before the trial Court, the present petition is allowed and the petitioner is directed to appear before the trial Court on or before 22.12.2021 and apply for fresh bail and the trial Court will release him on bail subject to his furnishing bail/surety bonds.

This will, however, be subject to the condition that the petitioner will deposit the costs of Rs.10,000/- with the District Legal Services Authority, Tarn Taran.

The payment of costs shall be a pre-condition before accepting the bail/surety bonds of the petitioner.

(ARVIND SINGH SANGWAN)
JUDGE

07.12.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No