

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

CRM-M-6423-2022
Date of Decision:-15.2.2022

SHAMMI @ SHAMI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Munish Puri, Advocate
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Instant petition has been filed under Section 438 read with
Section 482 Cr.P.C. for grant of anticipatory bail while setting aside the
orders dated 28.9.2021, 29.11.2021 and 21.1.2022 (Annexures P-3 to P-5)
passed by the Court of Judge Special Court, Pathankot vide which his bail
was cancelled and non-bailable warrants were issued in case having FIR
No.32 dated 3.3.2021 registered under Section 21 of the NDPS Act at Police
Station Division No.2, District Pathankot.

Counsel for the petitioner submits that the absence of the petitioner was not intentional but to outbreak of COVID-19 as he was not having any work and could not arrange the counsel fee and as such could not appear on the date fixed and subsequently clerk of the counsel told him that his exemption application has been moved and same was allowed for the date fixed and due to aforesaid confusion non-bailable warrants were issued. Counsel for the petitioner prays the present petition may be allowed.

Notice of motion.

On the asking of the Court, Mr. C.L. Pawar, Sr. DAG, accepts notice on behalf of State of Punjab and submitted that absence of the petitioner was intentional and prayed for dismissal of the petition.

In view of the above, the present petition is hereby disposed of and the petitioner is directed to appear before the trial Court on or before the next date fixed there and on his appearance, the petitioner is directed to be released on regular bail by the said Court to its own satisfaction on furnishing of fresh bail bonds and subject to deposit of ₹5,000/- in the fund of District Legal Services Authority, Pathankot which will be considered as a condition precedent for accepting fresh bail bonds

(KARAMJIT SINGH)
JUDGE

15.2.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No