

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12758-2022

Date of decision : 28.3.2022

Kanwaljit Singh alias Babal

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. G.S. Verma, Advocate
for petitioner.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail.

The petitioner is accused in case FIR No. 161, dated 11.9.2019 registered under Sections 21, 61 of NDPS Act at Police Station Division No. 2, District Ludhiana.

The allegations against petitioner are that he was found in possession of 210 tablets containing salt Alprazolam and 200 capsules of Pervorin Spas containing salt Tramadol Hydrochloride. The petitioner was granted regular bail by the trial Court vide order dated 22.11.2019.

It is the case of petitioner that he had been regularly appearing before trial Court. However, on 14.9.2021, he failed to put in appearance before the trial Court. Because of which his bail bond and surety bond were forfeited and non bailable warrants were issued against petitioner. It is stated that he also did not appear before the trial Court on 13.10.2021, 20.12.2021 and 9.3.2022 and now fresh non bailable warrants have been issued against him.

It is the case of petitioner that he was undergoing treatment for Hepatitis 'C' and was admitted in CMC Ludhiana in August, 2021. Thereafter also, he was admitted in the same hospital from 27.10.2021 to 13.11.2021 and again from 26.12.2021 to 1.1.2022.

Learned counsel for petitioner states that non appearance of petitioner before trial Court was not intentional. Because of ailment, petitioner was not in a position to appear before trial Court. Most of time, he remained admitted in CMC, Ludhiana. Petitioner is ready and willing to appear before trial Court to face trial. The next date of hearing before trial Court is 26.5.2022.

Notice of motion.

Mr. B.S. Sewak, Additional A.G. Punjab accepts notice on behalf of respondent State.

The petitioner may appear before trial Court on or before the date fixed i.e. 26.5.2022. On his doing so, he shall be released on interim bail by trial Court to its satisfaction. This shall however be subject to deposit of an amount of Rs. 10000/- (Rupees ten thousand only) with the Director PGI Chandigarh Poor Welfare Patient Fund. He shall also furnish an undertaking that he would appear before the Court as and when directed.

(HARINDER SINGH SIDHU)
JUDGE

28.3.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No