

CRM-M-17093-2022

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

CRM-M-17093-2022 (O & M)

Date of decision: 08.07.2022

Amandeep Singh @ Raju

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Barjinder Singh, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

CRM-23208-2022

Allowed as prayed for. Annexure A-1 is taken on record.

CRM-M-17093-2022

Through this second petition, the petitioner seeks anticipatory bail in case bearing FIR No.02 dated 04.01.2019, registered at Police Station Adampur, District Jalandhar (Rural), under Section 21 NDPS Act, 1985.

Perusal of the record would show that vide order dated 25.10.2021 passed in CRM-M-44407-2021, the petitioner was ordered to be released on interim anticipatory bail, subject to him furnishing the fresh bail/surety bonds within 10 days, to the satisfaction of the trial Court/Duty Magistrate. However, the petitioner had failed to comply with the aforesaid order. Thereafter, while deciding CRM-40217-2021, one more opportunity had been granted to the petitioner to furnish the bail bonds, in

CRM-M-17093-2022

pursuance of the aforesaid order dated 25.10.2021.

Since the petitioner had failed to furnish the requisite bonds within the stipulated period despite availing of two opportunities, his first petition i.e. CRM-M-44407-2021, stood dismissed on 13.01.2022.

Learned counsel for the petitioner contends that the petitioner could not furnish the requisite bonds within the stipulated period for the reason that concerned revenue officials were on strike during the said period. In support of the said assertion, affidavit dated 02.07.2022, sworn by the petitioner, has also been placed on record as Annexure A-1.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh, DAG, Punjab, accepts notice on behalf of the respondent-State.

I have heard the learned counsel for the parties.

As per the case of the prosecution, recovery of 15 gram heroin had been effected from the possession of the petitioner. The extent of the aforesaid recovery falls under 'non-commercial' quantity.

In the present case, the petitioner absented himself from the court proceedings on 10.08.2021, following which his bail was cancelled and his bonds forfeited to the State.

Despite availing two opportunities, the petitioner could not furnish the requisite bonds within the stipulated period, in terms of the orders passed in the first petition filed by him.

Keeping in view the facts and circumstances of the present case, but without going into the merits of the case, the present petition is disposed of with a direction to the petitioner to surrender before the trial

CRM-M-17093-2022

Court with ten days from today and to move an application seeking the relief of regular bail there. On his doing so, his bail application shall be decided within one week thereafter.

08.07.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No