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

CRM-M-18558-2022

Date of Decision: 07.05.2022

Dharminder Singh @ Bhindi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Navraj Singh Mahal, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 read with Section 482 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.0052 dated 16.03.2020, under Sections 21, 61 and 85 of the NDPS Act, registered at Police Station Shahkot Jalandhar, District Jalandhar (Rural).

Learned counsel for the petitioner has submitted that the petitioner could not present before the Court due to Covid-19 restrictions and therefore, NBW has been issued against him. He further submitted that his absence was unintentional, and therefore, the petitioner may be considered for the grant of anticipatory bail.

I have heard the learned counsel for the petitioner.

As per the orders, which the petitioner has attached along with the present petition, the petitioner was granted bail by the learned trial Court on

20.04.2020 vide Annexure P-2 and he is involved under the NDPS Act for an alleged recovery of 10 grams of *Heroin*. A perusal of the Annexure P-3 would show that the petitioner was absent on 14.07.2021 and thereafter, he again remained absent on 13.08.2021. The matter was adjourned and thereafter, he again absented on 16.09.2021. Thereafter, on 12.10.2021 again he was absent and ultimately on 30.11.2021, non-bailable warrants were issued against the petitioner and again six months have elapsed but the petitioner has still not surrendered before the trial Court and has rather preferred to file anticipatory bail before this Court. The petitioner has jumped the bail and it is almost 9-10 months that the petitioner is absconding and instead of surrendering before the trial Court he has chosen to file present anticipatory bail after jumping the bail.

This Court is of the view that in view of the conduct of the petitioner, he is not entitled for the grant of anticipatory bail, consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

07.05.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |