

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

**CRM-M-45637-2022**

Date of Decision: 30.9.2022

Akbar

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM:-HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr.APS Sandhu, Advocate for the petitioner

Mr.GS Sandhu, DAG, Punjab

...

The petitioner has approached this Court by filing this petition under Section 438 of the Cr.P.C. for grant of anticipatory bail to him in FIR No.0116 dated 30.12.2020 under Sections 20, 21 of the NDPS Act registered at Police Station Kurali, District SAS Nagar and quashing of the order dated 22.7.2022 passed by the trial court whereby the bail of the petitioner was cancelled and his bail/surety bonds were forfeited.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner was granted regular bail by this Court vide order dated 29.9.2021 and since then the petitioner has been appearing regularly before the trial court. However, on 22.7.2022, he could not appear before the trial court and vide order dated 22.7.2022, his bail was cancelled and bail/surety bonds were forfeited to the State by the trial court. Learned counsel submits that the petitioner failed to appear before the trial court due to medical exigency of his wife.

I have heard learned counsel for the parties and perused the paper-book.

The ground taken in this petition by the petitioner that he could not appear before the trial court due to medical exigency of his wife is misconceived and after-thought. No such ground has been taken before the trial court while moving application for anticipatory bail by the petitioner. The ground taken before the trial court was that the petitioner could not appear before the trial court due to misunderstanding of the date of hearing. Moreover, on the date of absence, the petitioner has not moved any application for exemption from appearance before the trial court. Even on the said date, PW ASI Avtar Singh was also present but could not be examined due to the absence of the petitioner without any intimation.

In view of the above, I find no ground to extend the concession of anticipatory bail to the petitioner. Dismissed.

**(ASHOK KUMAR VERMA)**  
**JUDGE**

**30.9.2022**

**MFK**

*Whether speaking/reasoned*

*Yes/No*

*Whether Reportable*

*Yes/No*