

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

104

CRM-M-561-2022

Date of Decision : January 25, 2022

BALBIR SINGH ALIAS SONU AND ANR

.....Petitioners

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. Ajay Arora, Advocate
for the petitioners.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 79 dated 8.2.2019 under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station, Sirsa City.

The learned counsel for the petitioners has submitted that the petitioners were granted bail by the learned trial Court although the details of bail are not available with the learned counsel for the petitioners. He submitted that be that as it may, the petitioners could not appear before the learned trial Court because of miscommunication with the learned counsel for the petitioners. He further submitted that vide Annexure P-2 since the petitioners were not present, their bail was cancelled and bail bonds/surety bonds were forfeited to the State and warrants of arrest were issued. He submitted that in view of the aforesaid factual position, the petitioners may be granted the anticipatory bail.

I have heard the learned counsel for the petitioners.

As per the learned counsel for the petitioners, the petitioners were granted bail by the learned trial Court and a perusal of the paper-book would show that the petitioners are involved under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Their bail was cancelled on 24.9.2021 vide Annexure P-2 which is almost four months ago and thereafter the petitioners did not surrender before the learned trial Court despite the fact that warrants of arrest were issued against them and instead they have preferred the present petition for the grant of anticipatory bail. The petitioners have jumped the bail and four months have passed that the petitioners are absconding and instead of surrendering before the learned trial Court on coming to know with regard to the cancellation of bail, the petitioners have rushed to this Court for the grant of anticipatory bail. The present petition for grant of anticipatory bail is devoid of any merit as the petitioners ought to have surrendered before the learned trial Court.

Consequently, the present petition is, hereby, dismissed.

(JASGURPREET SINGH PURI)
JUDGE

January 25, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No