

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-51998 of 2022

Date of Decision: 11.11.2022

Shrikant Thakur

---Petitioner

versus

State of Punjab

---Respondent

Coram: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. J.P.Ratra, Sr. DAG, Punjab

JAGMOHAN BANSAL (ORAL)

Through instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner is seeking anticipatory bail in FIR No.127 dated 1.6.2022, under Sections 18/61/85 of NDPS Act, 1985, registered at Police Station Amargarh, District Malerkotla.

Learned counsel for the petitioner submits that petitioner was arrested on 1.6.2022 and thereafter released on regular bail vide order dated 28.7.2022 passed by Judge Special Court, Sangrur. The petitioner was regularly appearing before the Court but he could not appear on 11.9.2022 and sought exemption which was allowed and matter was adjourned to 7.10.2022, however, clerk of the learned counsel of the petitioner wrongly noted next date as 17.10.2022 which resulted into non-appearance of the petitioner on 7.10.2022.

Notice of Motion.

On the asking of the Court Mr. J.P.Ratra, Sr.DAG, Punjab, who

is present in Court, accepts notice on behalf of respondent-State and fairly does not dispute the facts, however, prays for imposition of costs.

The petitioner was granted regular bail. Right of personal liberty granted by Article 21 of the Constitution of India is one of the most pious and important fundamental right guaranteed by our Constitution. Arrest not only deprives right of personal liberty but also causes mental agony, stress and tarnish reputation of entire family. There is certainly lapse on the part of petitioner and reasons advanced are not much convincing, however, keeping in view facts and circumstances, I deem it appropriate to extend concession of bail to the petitioner, subject to furnishing of fresh bail bonds to the satisfaction of learned Trial Court. The petitioner is directed to appear before learned Trial Court on 18.11.2022 and furnish fresh bail bonds alongwith costs of Rs. 25,000/- to be paid to the District Legal Services Authority, Sangrur.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

November 11, 2022
paramjit

Whether speaking/reasoned : Yes
Whether reportable : No