

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

105

CRM-M-10438-2023
Date of Decision : 28.02.2023

Ajay SharmaPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Manuj Nagrath, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.192 dated 01.12.2018 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Division No.5, District Jalandhar.

Learned counsel for the petitioner contends that the alleged recovery in the present case is 15 kg of poppy husk and the petitioner was earlier granted regular bail by the trial Court. The petitioner is on reformatory stage and he has joined Drug Counseling and Rehabilitation Centra at Amritsar known as Umeed Foundation for which the petitioner has filed exemption application before the trial Court which was declined vide order dated 09.03.2022 and bail bonds stands cancelled. The non-appearance of the petitioner before the trial Court was not intentional. A copy of certificates issued by Sh. Navin Chopra, Psychologist, President, Umeed Foundation are also attached with the

petition as Annexures P-4 and P-5. The petitioner is ready and willing to appear before the trial Court and his custodial interrogation is not required.

Notice of motion.

On the asking of the Court, Mr. Joginder Pal Ratra, Senior D.A.G., Punjab, who is present in the Court, has accepted notice on behalf of the respondent-State and opposed the present petition.

I have heard learned counsel for the petitioner as well as learned State counsel and perused the paperback.

Without commenting on the merits of the case, petitioner is directed to appear before the trial Court on or before 03.03.2023 i.e. the date already fixed before the trial Court subject to payment of costs of Rs.25,000/- to be deposited with the District Legal Services Authority, Jalandhar and on his appearance before the trial Court, the petitioner shall be released on bail, subject to his furnishing the bail bonds and surety bonds to the satisfaction of the trial Court and in case of failure to do so, the present petition shall be deemed to have been dismissed.

Disposed of.

28.02.2023
Kothiyal

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No