

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

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CRM-M-16242-2023

Date of decision: 29.03.2023

GURSHARNJIT SINGH**...Petitioner****VERSUS****STATE OF PUNJAB****...Respondent****CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Sushant Kareer, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0177 dated 17.06.2020 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Brief facts of the case are that on 17.06.2020, when police party was patrolling in search of suspects and were going from Sultanpur Lodhi to Haibatpur, Jainpur and when they reached at Haibatpur then the petitioner on seeing the police party hurriedly turned back and threw a black coloured polythene from his left side pocket. On suspicion, when police apprehended the petitioner, he was found to be in possession of 265 grams of narcotic drugs.

Learned counsel for the petitioner contends that vide order dated 07.09.2020, petitioner was released on interim bail subject to furnishing of personal bail bonds in the sum of Rs. 50,000/- with one surety granting liberty in view of the outbreak of Covid-19 including maintaining of social distance of preventing community transmission with a condition

that when the situation is normalized and curfew is lifted, the petitioner would be bound to furnish surety bonds/bail bonds preferably within 10 days from the date when lockdown/curfew is lifted.

On receipt of advance copy, Mr. Gurdarshan Singh Sidhu, AAG, Punjab has put in appearance on behalf of respondent-State and submits that the allegations levelled against the present petitioner are serious in nature, who intentionally misused the concession of bail granted by the trial Court and his anticipatory bail application be dismissed.

I have heard learned counsel for the parties.

A perusal of zimni orders show dated 12.10.2021 (Annexure P-5) that the petitioner was duly served but still he failed to appear before the Court, accordingly, his bail bonds and surety bonds were cancelled and forfeited to the State vide said order dated 12.10.2021, whereas the present petition has been filed after a gap of more than 02 years, when non-bailable warrants were issued and the petitioner intentionally did not appear before the Court inspite of getting interim bail vide order dated 07.09.2020.

Keeping in view of the conduct of the petitioner as he neither complied with the conditions enumerated in the order dated 07.09.2020 nor appeared before the Court and intentionally misused the concession of interim bail granted by the trial Court, petitioner does not deserve the concession of anticipatory bail.

Accordingly, the present petition is dismissed.

March 29, 2023

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No