

2023:PHHC:085164
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

254

CRM-M-29183-2022 (O&M)
Date of Decision: 6th July, 2023

Robin

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ajay Kumar, Advocate for the petitioner.

Ms. Navreet K. Barnala, AAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. This petition has been filed under Section 438 Cr.P.C. for setting aside the order dated 24.3.2022 (Annexure P-2) cancelling the bail order of the petitioner in FIR No. 161 dated 14.9.2018 under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at P.S. Basti Bawa Khel, District Jalandhar.

2. On 11.7.2022, the following order was passed :-

“Present petition has been filed by the petitioner seeking setting aside of order dated 24.3.2022 (Annexure P-2) passed by the Court of Additional Sessions Judge, Jalandhar whereby the bail order/bail bonds of the petitioner were cancelled in criminal case having FIR No.161 dated 14.9.2018 registered under Section 21 of NDPS Act at PS Basti Bawa Khel, District Jalandhar.

Counsel for the petitioner contends that the petitioner failed to appear on the date fixed before the trial Court as he noted down the wrong date and that absence of the petitioner was not intentional and this was his first default.

Notice of motion.

Ms. Ishneet Kaur, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Prem Lal has not refuted the fact that the petitioner jumped bail for the first time.

Now be listed on 12.12.2022.

In the meantime, the petitioner is directed to appear before the trial Court on or before the next date fixed and on doing so, he is directed to be released on interim bail by the said Court to its own satisfaction till the next date of hearing fixed in the present petition. However, the trial Court is at liberty to proceed against the petitioner under Section 446 of Cr.P.C.”

4. Learned State Counsel on instructions submits that the petitioner has appeared before the Trial Court and was released on bail.
5. In view of the above noted fact, no further directions are called for.
6. Petition is disposed of.
7. Needless to say that the Trial Court shall be at liberty to impose conditions as deem fit for ensuring the presence of the petitioner.
8. Since the main case has been disposed of, the pending application(s), if any is rendered infructuous.

**(AVNEESH JHINGAN)
JUDGE**

6th July, 2023
anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No