

CRM-M-35731-2023

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(105)

[CRM-M-35731-2023](#)

Date of Decision:- 26.07.2023

Monty ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. O.P.Kamboj, Advocate for the petitioner.
...

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Section(s)
190	07.11.2021	Special Task Force, STF Wing, Phase-4, SAS Nagar, District Ferozepur	21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Counsel for the petitioner submits that the petitioner was named as an accused in the above-mentioned FIR and was released on regular bail vide order dated 12.04.2022, by the learned Special Court, Ferozepur. He submits that the petitioner was regularly appearing before the Trial Court, but due to non-appearance on 01.06.2023 due to confusion of date, by order, Annexure P-2, learned Additional Sessions Judge, Ferozepur, while granting exemption from personal appearance to the co-accused, issued non-bailable warrants against the petitioner. Counsel submits that the petitioner is ready to appear before the Trial Court and join the proceedings.

3. Heard counsel for the parties.
4. Although instant petition seeking grant of anticipatory bail is not maintainable, however, considering that the petitioner has defaulted in appearance on one occasion, this Court is of the view that an opportunity deserves to be granted to him to appear before the Trial Court.
5. Accordingly, it is ordered that in case the petitioner appears before the Trial Court on the date already fixed i.e. 29.07.2023, or any day within a week thereafter, he shall be released on regular bail on his moving an appropriate application, subject to furnishing of fresh bail/surety bonds to its satisfaction of the Trial Court.
6. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

26.07.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No