

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

CRM-M-45176-2022

Date of decision : 26.04.2023

RAKESH KUMAR @ KESHA @ KAMAL

....Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. P.S. Jammu, Advocate for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

On 29th of September, 2022 following order was passed :-

“Apprehending his arrest in FIR No.0100 dated 24.06.2018 for offences punishable under Section 22 of NDPS Act, 1985 registered at Police Station Shahkot, District Jalandhar Rural, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that the absence of the petitioner on 2.2.2022 was on account of the fact that the petitioner had noted down the date wrongly as 9.9.2022. He further contends that the petitioner has been regularly appearing before the trial court and the lapse was on account of a bonafide mistake as mentioned hereinabove. He further submits that the petitioner has not been declared a proclaimed offender as on date.

Notice of motion.

On the asking of the Court Mr. Arun Gupta, Assistant Advocate General, Punjab, who is present in Court accepts notice and does not dispute the fact that the petitioner has not been declared a proclaimed offender as on date.

The petitioner is directed to surrender before the trial court on 03.10.2022. On his doing so, the trial court shall release him on interim bail on his furnishing bail bonds/surety bonds to the

satisfaction of Duty Magistrate/Illaqa Magistrate.

To come up on 16.01.2023.”

Today, Mr. Dhir submits that the petitioner has been regularly attending to the trial and has already furnished bail bonds.

Counsel for the petitioner submits that the petitioner undertakes not to violate any condition of bail and to attend to the trial regularly without lapse.

In view of the above, order dated 29th of September, 2022 is made absolute subject to the conditions as enumerated under Sections 438 (2) Cr.P.C.

Petition is disposed off.

April 26, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No