

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-3722-2024 (O&M)
Date of Decision:- 31.01.2024

Ravinder Singh Chawla ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Kulwinder Pal Kaur, Advocate, for the petitioner.
Mr. C.L.Pawar, Addl. AG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
90	04.05.2019	Haibowal, District Ludhiana	21, 27-A, 29, 61, 85 of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The case pertains to recovery of 150 grams of ‘Heroin’ from the accused and 2 other persons and another 200 grams ‘Heroin’ subsequently on the basis of alleged disclosure statement of the petitioner.
3. The petitioner had been granted bail by this Court vide order dated 23.3.2022 passed in CRM-M-43282-2021 and had been appearing

before the trial Court. However, on account of his absence on 11.12.2023, the trial Court cancelled his bail.

- 4. Learned counsel submits that his non-appearance before the trial Court on 11.12.2023 was unintentional and was on account of the fact that he was indisposed. It has further been submitted that the petitioner on the very next date of hearing i.e. on 22.12.2023 himself surrendered before the trial Court and which would show that he had no intention to flee from justice.
- 5. The aforestated factual position is not disputed by learned State counsel who has however, opposed the petition on the ground that the co-accused had been declared proclaimed offenders.
- 6. This Court while considering the instant petition is required to examine the conduct of the petitioner and upon noticing that he had himself surrendered before the trial Court on the very next date when his bail was cancelled which according to the petitioner was on account of the fact that he was indisposed and could not appear on the date fixed, a liberal approach is certainly warranted. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

31.01.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No