



officer filed a criminal complaint bearing No. COMA-1105/2016 dated 15.06.2016 for the offence under Section 21 of Drug and Cosmetic Act before the Court of Additional Sessions Judge, Ambala. The petitioner filed an anticipatory bail before the Court of Additional Sessions Judge, Ambala, which was allowed and the petitioner was directed to appear before the trial Court/Duty Magistrate within a period of 15 days to apply for regular bail. Learned counsel further submits that unfortunately the counsel before the trial Court did not inform the petitioner in time and due to the said fact, he could not surrender before the trial Court/Duty Magistrate in time. Later on, an application was filed by the petitioner for extension of time to surrender, however, vide the impugned order dated 10.08.2023 (Annexure P-4), the said prayer was declined by the Court of Additional Sessions Judge, Ambala. Learned counsel further contends that the petitioner is ready to surrender before the trial Court within a period of 02 weeks from today.

3. Notice of motion.

4. On the asking of Court, Mr. Rajinder Kumar Banku, DAG, Haryana. accepts notice on behalf of respondent-State.

5. Learned State counsel submits that vide order dated 12.04.2023 (Annexure P-2), the petitioner was directed to appear before the trial Court/Duty Magistrate within a period of 15 days and he intentionally did not comply with the said order. Thus, the present petition is liable to be dismissed by this Court.

6. I have heard learned counsel for the parties and perused the record.

7. From the record, it is apparent that vide order dated 12.04.2023, the trial Court had granted a period of 15 days to apply for regular bail, however, the petitioner did not appear before the trial Court/Duty Magistrate in compliance of the said order. Since, the petitioner has already faced a prosecution in FIR No. 308/2014 and he is a young person, a lenient view is taken in the matter and the petition is allowed. The petitioner is granted the time of 15 days to appear and apply for regular bail before the trial Court. On his appearance, before the trial Court, he shall be admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court subject to payment of Rs.20,000/- as costs, which shall be deposited in the Punjab and Haryana High Court Bar Clerks' Association.

08.02.2024

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No