



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

CRM-M-41808-2024

Date of Decision: 03.09.2024

Pritam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Manuj Nagrath, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

1. Instant petition has been filed under Section 438 Cr.PC seeking anticipatory bail in case FIR No.198 dated 05.09.2019 under Sections 22/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 as bail order was cancelled and bail bond/surety bond were cancelled vide order dated 05.12.2023 (Annexure P-4) on account of non-appearance before the learned trial Court.

2. Learned counsel for the petitioner submits that the absence of the petitioner on 05.12.2023, was neither intentional nor wilful as he was in custody and confined in Central Jail, Kapurthala in another case bearing FIR No.182 dated 23.11.2023 under Section 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, P.S. Shahkot, Jalandhar. He further submits that in both the cases, police station is same. Petitioner absented for one day. His bail was cancelled. He is ready to surrender to face trial.

3. Explanation given by the petitioner shows that his absence was

not intentional but beyond his control since he was in custody on that day.
Order passed by the Court below is not sustainable in the eyes of law.

4. In the interest of justice, petitioner is directed to surrender before the concerned Court within a period of 10 days from today and he shall be released on bail on furnishing of fresh bail bond and surety bond to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5. Petition stands disposed of.

03.09.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No