



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-6474-2025
Date of decision: 22.04.2025

RAJA SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Gagandeep Singh, Advocate for
Mr. G.S. Aulakh, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name and age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Raja Singh (aged about 41 years)	0106	06.08.2020	18 of NDPS Act	Lakhewali	Shri Muktsar Sahib

2. On 04.02.2025, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No.0106 dated 06.08.2020 registered under Sections 18 of NDPS Act at Police Station Lakhewali, District Sri Muktsar Sahib and staying/set-aside the further proceedings/operation of impugned order passed by the



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trial Court vide order dated 15.02.2024 (Annexure P-5).

Counsel for the petitioner inter alia submits that prior to passing of impugned order dated 15.02.2024 (Annexure P-5), the petitioner was regularly appearing before the trial Court on the basis of order dated 21.09.2020 (Annexure P-2) whereby the petitioner was granted regular bail in the instant case, which is relating to recovery of non-commercial quantity of opium. It is further submitted that the petitioner is an illiterate person and is earning his livelihood by doing manual labour and had forgotten the date given by the trial Court which resulted into passing of order dated 15.02.2024 (Annexure P-5). It is further submitted that the absence of the petitioner before the trial Court was not intentional and petitioner is ready and willing to join proceedings before the trial Court at the earliest.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that the present petitioner did not turn up before the trial Court on 12.10.2022 and even thereafter he failed to respond to the notices sent by the trial Court and finally his bail order was cancelled on 15.02.2024 and now he is being summoned through non-bailable warrants of arrest. That it appears that the absence of the petitioner before the trial Court was intentional.

Now be listed on 22.04.2025.

In view of the fact that the petitioner belongs to poor strata of society and is earning his livelihood by doing labour, the petitioner is hereby directed to appear before the trial Court within next 15 days and on his doing so, the petitioner is directed to be released on interim bail by the said Court to its own satisfaction till the next date fixed in the present petition. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.”

3. Learned counsel for the petitioner has produced a copy of the order



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dated 11.04.2205, whereby the petitioner, in compliance with the order dated 04.02.2025, passed by this Court has already appeared before the learned trial Court and has also furnished the required bail bonds, thus, counsel prays that the order dated 04.02.2025 be made absolute.

4. Learned State counsel is unable to counter the statement made by counsel for the petitioner.

5. Accordingly the present petition is allowed and order dated 04.02.2025, passed by this Court is hereby made absolute.

6. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

22.04.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No