

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

CRM-M-31447 of 2015 (O&M)

Date of decision: 16.09.2015

Arvinder Sharma @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Bikramjit Aroua, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No. 02 dated 02.01.2012, registered under Sections 307, 323, 324, 506, 148 and 149 IPC, at Police Station Civil Lines, Amritsar.

Notice of motion.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State.

The learned counsel contends that petitioner is employed as seafarer. On 18.12.2014, he remained on vessel from 06.10.2014 to 13.08.2015. Despite the instructions to the learned counsel for the

petitioner, the exemption application could not be moved before the learned trial Court and his bail bonds and surety bonds were cancelled. The absence of the petitioner on the relevant date is not deliberate and willful.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Keeping in view the fact that the petitioner is a young seafarer who has recently been inducted into employment and the fact that the petitioner had requested his counsel to move an exemption application and he is not involved in any other case, the instant petition is allowed. The petitioner is directed to appear before the trial Court, within 10 days from today and furnish fresh bail bonds/surety bonds. In the event of his doing so, he shall be admitted to bail by the releasing Court during the pendency of trial, to its satisfaction.

Disposed of.

16.09.2015

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(JITENDRA CHAUHAN)
JUDGE