

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-32367 of 2015

Date of decision : 24.09.2015

Lakhwinder Singh @ Lakha

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 67 dated 23.06.2011 registered at Police Station Nathana, District Bathinda under Sections 302/307 IPC and Section 25 of the Arms Act.

Learned counsel for the petitioner contends that the petitioner had met with an accident and he could not appear in the Court and an application for exemption was given and his presence was exempted on 14.07.2015. He further states that on the next date his presence was again exempted but thereafter on account of some orthopedic problem the petitioner could not appear and his bail was cancelled. He further states that anticipatory bail may be allowed as the petitioner is ready to appear before the Court below.

The counsel was asked to refer to the documents to show as to when petitioner had met with an accident. The counsel refers to Annexure P-2 which shows that the injury was caused in November 2014. No document has been placed on file to show the treatment being taken presently. The record

reveals that Devi Sharan @ D.S. Kaka accused had filed CRM No. M-19351 of 2015 praying for bail as the trial had been held up on account of absence of Lakhwinder Singh @ Lakha.

Learned State counsel submitted that the case was being adjourned for the last several months only for the presence of the petitioner.

There is no document evidencing that the petitioner is suffering from any ailment at present. After availing two exemptions he has failed to appear before the Court. The case is fixed at the stage of defence and arguments.

The petition is dismissed.

The petitioner would surrender before the Court below on 28.09.2015. The petitioner may avail the remedies which are available under the law.

September 24, 2015

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**(ANITA CHAUDHRY)
JUDGE**