

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4466 of 2015 (O&M)

Date of Decision: 21.05.2015.

Bir Barjinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.S. Brar, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 102 dated 22.9.2013 under sections 307, 120-B, 34 I.P.C and sections 25, 27 of Arms Act, registered at Police Station, Nihal Singhwala, District Moga.

On 11.2.2015, while issuing notice of motion, the following order was passed by this Court:-

“Contends that inadvertently the clerk of learned counsel representing the petitioner before the trial Court conveyed him the date as 15.02.2015 instead of 15.01.2015. The absence is not deliberate and willful. The petitioner had been regularly attending the Court proceedings and never misused the concession of bail.

Notice of motion for 06.04.2015.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Meanwhile, the petitioner is directed to

appear/surrender before the trial Court, within a week from today, and furnish bail bonds/surety bonds. In the event of his doing so, he shall be admitted to interim bail by the trial Court, to its satisfaction.”

Learned counsel appearing for the petitioner has produced in Court today certified copy of the order dated 16.2.2015, passed by the learned Additional Sessions Judge, Moga which would reflect that the petitioner in terms of liberty granted by this Court vide order dated 11.2.2015 had duly appeared before the Trial Court and has been granted interim protection upon furnishing personal bond in the sum of Rs.1 lac with one surety in the like amount. A copy of the order dated 16.2.2015, passed by learned Additional Sessions Judge, Moga is taken on record as Mark-A.

That apart, the observations contained in the notice of motion order, passed by this Court have not been rebutted.

Accordingly, the present petition is allowed. Order dated 11.2.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.05.2015
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