

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

Date of decision:31.03.2016

Gaggu Din @ Gaggu

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Munish Puri,Advocate for the petitioner.

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in case FIR No.27 dated 3.10.2014 under Sections 379/422 IPC, PS Narot Jaimal Singh,Distt.Pathankot.

Petitioner was apprehended at the spot on 3.10.2014 with stolen tractor and is alleged to be in the habit of committing thefts and selling out stolen articles in J&K.

He was enlarged on bail before the presentation of challan on 18.12.2014. For his absence on 27.11.2015, non-bailable warrants were issued for 10.12.2015. Thereafter the trial was listed for hearing on 24.12.2015, 21.1.2016, 4.2.2016 and 20.2.2016 and the petitioner continued to evade execution of non-bailable warrants. He moved application dated 25.2.2016 seeking anticipatory bail to join trial which

has been dismissed by the trial court vide order dated 5.3.2016. In the meanwhile trial was again listed on 17.3.2016. Now non-bailable warrants have been issued for 2.4.2016 to secure his presence as also notices issued to his sureties.

Learned counsel for the petitioner submits that an exemption application for appearance was moved on 23.9.2015 which was allowed and the next date fixed was 27.11.2015, however, due to wrong noting of the date as 27.12.2015, petitioner could not appear on 27.11.2015.

After hearing learned counsel, no case is made out for extending the benefit of pre-arrest bail to the petitioner.

Nothing has been placed on record to show that there was a wrong noting of the date by the counsel for the petitioner. Still further, no effort was made for more than two months before moving an application by the petitioner seeking pre-arrest bail as is apparent from narration of events hereinabove. The trial has already been considerably delayed due to conduct of the petitioner and therefore, no further indulgence is warranted.

Dismissed.

31.03.2016
joshi

(Jaswant Singh)
Judge