

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

Date of decision:19/05/2016.

Jasvir Singh

.....Petitioner

VS

State of Punjab

.....Respondent

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.BS Sewak,Advocate for the petitioner.

Mr.Kirat Singh Sidhu,DAG Punjab assisted by
HC Gurcharan Singh

Jaswant Singh,J(Oral)

On the last date of hearing (3.5.2016)the following order was
passed:-

“Prayer is for grant of anticipatory bail to accused petitioner Jasvir Singh in case FIR No.158 dated 24.9.2013 under Sections 420,406,120-B, 467,468,471 IPC, PS Fatehgarh Sahib, Distt.Fatehgarh Sahib.

The allegation against the petitioner is that he alongwith his co-accused brothers had entered into an agreement to sell with the complainant for sale of agricultural land on receipt of earnest money. However, subsequently the land was sold to some other party.

The petitioner was enlarged on bail and for his absence on 28.8.2015 his bail bonds were cancelled and NBWs issued for arrest. The reason for absence was wrong noting of the date. Soon thereafter, petitioner-accused on 9.9.2015 filed an application for grant of anticipatory bail to join trial and the same was allowed by the learned Additional Sessions Judge, Fatehgarh Sahib vide order dated 14.9.2015 permitting the petitioner-accused to appear before JMIC concerned within one week and be released on bail. The benefit could not be availed, and therefore, he was declared as proclaimed offender on 28.1.2016.

Learned counsel for the petitioner submits that the petitioner could not avail the benefit granted vide order dated 14.9.2005 due to the ailment of his mother who was undergoing cancer treatment and subsequently died on 29.1.2016. Her Bhog ceremony is stated to have been performed on 7.2.2016.

Notice of motion for 19.5.2016.

In the event of the petitioner surrendering before the learned trial Court within 10 days from today, he shall be released on interim bail subject to the satisfaction of the learned trial court.

To be shown in the urgent list.”

At the time of hearing learned counsel for the petitioner submits that before the petitioner could submit himself before the trial court he was arrested by the police on 9.5.2016 and produced before the learned trial court on 12.5.2016 and was granted interim bail pursuant to aforesaid order passed by this Court.

Learned State counsel on instructions from HC Gurcharan Singh does not dispute the factual position.

In view of the above, interim bail granted on 12.5.2016 by the trial court pursuant to the order dated 3.5.2016 passed by this Court is made absolute.

Disposed of.

19.05.2016
joshi

(Jaswant Singh)
Judge