

Sr. No.208

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

**CRM No. M-1866 of 2016 (O&M)
Date of Decision: 06.04.2016**

Navdip Singh @ Laddu

...Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Baljinder Singh, Advocate,
Mr. Sarju Puri, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.43 dated 08.07.2008, under Sections 323, 324, 341, 506, 148, 149 of Indian Penal Code (for short 'IPC'), and Section 326 of IPC added later on, registered at Police Station Behram, District Shaheed Bhagat Singh Nagar.

While issuing notice of motion, the following order was passed by this Court on 20.01.2016:

“The present petition has been filed under Section 438 Cr.P.C. seeking the concession of pre-arrest bail to the petitioner in case FIR No.43, dated 08.07.2008, under Sections 323/324/341/506/148/149 and Section 326 IPC, registered at Police Station Behram, District SBS

Nagar.

Counsel for the petitioner would submit that in the appeal filed by the petitioner against the order of the trial Court, the sentence awarded to him had been suspended vide order dated 07.03.2015. Thereafter, the petitioner had been regularly appearing before the Appellate Court but only on account of non-appearance on one date i.e. on 16.10.2015, non-bailable warrants for arrest have been issued.

Non-appearance of the present petitioner before the Appellate Court on 16.10.2015 is sought to be justified by stating that subsequently FIR No.71 dated 01.09.2015 under Section 307 IPC had been registered at Police Station City Behram, District SBS Nagar against the petitioner and in which the petitioner has been granted ad interim protection as regards arrest by this Court on 21.12.2015 in CRM No.M-43274 of 2015. It is contended that in the light of such situation the petitioner could not put in appearance on 16.10.2015 before the Appellate Court.

Notice of motion, returnable for 06.04.2016.

In the meanwhile, it is directed that in case the petitioner duly puts in appearance before the Appellate Court today itself, he would be entitled to ad interim protection as regards arrest subject to the satisfaction of the Appellate Court.

A copy of this order be furnished to the learned counsel for the petitioner under the signatures of the Bench Secretary.”

Learned counsel appearing for the petitioner has

produced during the course of hearing today certified copy of the

order dated 20.01.2016 passed by the learned Sessions Judge, Shaheed Bhagat Singh Nagar and which would show that the petitioner had duly appeared before the Appellate Court on 20.01.2016 itself and was admitted to interim bail on having furnishing fresh bail bonds in the sum of Rs.50,000/- along with surety in the like amount.

Petitioner having joined the proceedings before the Appellate Court, prayer made in the present petition is accepted.

Present petition is allowed. Order dated 20.01.2016, passed by this Court, is made absolute.

Disposed of.

06.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**