

CRM-M-25088-2016

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

CRM-M-25088-2016

Date of Decision: 27.08.2016

C-II Rakesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. B.S.Aulakh, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J. (Oral)

This petition has been filed under Section Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.03 dated 18.01.2009, registered at Police Station Ahmedgarh, District Sangrur, under Sections 279/304-A/427 of the Indian Penal Code.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well learned

State counsel and have gone through the record.

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Perusal of the order dated 11.07.2016 passed by learned Sessions Judge, Sangrur shows that C-II Rakesh Kumar absented himself from the Court in an appeal pending before learned Sessions Judge, Sangrur and application seeking his exempted from personal appearance was dismissed.

In pursuance of the order dated 26.07.2016 passed by this Court, the petitioner has already appeared before learned Appellate Court and he has been released on bail.

Keeping in view the facts and circumstances of the present case and the fact that the petitioner has absented during the appeal proceedings and has already appeared before the appellate Court and he has already been released on interim bail, no useful purpose will be served by sending the petitioner to custody. Therefore, I find merit in this petition and the same is allowed. The interim order dated 26.07.2016 passed by this Court granting interim bail to the petitioner is made absolute.

27.08.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No