

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

CRM No.M-278 of 2016 (O&M)

Date of Decision: 23.02.2016

Chiman Lal

... Petitioner

Versus

State of Punjab

... Respondent

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

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

Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Sections 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.138 dated 24.10.2013 under Sections 323/324/34 IPC, registered at Police Station City Malout, District Sri Muktsar Sahib.

While issuing notice of motion, the following order was passed by this Court on 07.01.2016:

“The present petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.138 dated 24.10.2013 registered under sections 323, 324, 34 I.P.C at Police Station, City Malout, District Sri Muktsar Sahib.

It is the categoric submission made by counsel that the petitioner had been granted interim protection as regards arrest and had been appearing before the Trial Court on each and every date. It is further submitted that on account of illness the petitioner had absented from the court proceedings only on one date i.e. 18.11.2015 and on account of which his bail bonds had been cancelled and non-bailable warrants had been issued. Counsel would argue that absence of the petitioner was

for bonafide reasons and there was no intent to evade the court proceedings.

Notice of motion, returnable for 23.2.2016.

In case the petitioner appears before the Trial Court on the date already fixed i.e. 17.2.2016, he shall be entitled to ad interim protection as regards arrest subject to satisfaction of the Trial Court.”

Learned counsel appearing for the petitioner would make a categoric submission at the bar that in pursuance to the order dated 07.01.2016, petitioner has duly appeared before the trial Court on 17.02.2016 and was granted interim bail subject to satisfaction of the trial Court. Such fact is also affirmed by the learned State counsel on instructions from HC Karishan Lal.

In the light of such circumstances and the petitioner having already joined the trial Court proceedings, the present petition is allowed. Order dated 07.01.2016 passed by this Court is made absolute.

Disposed of.

23.02.2016

shubham

**(TEJINDER SINGH DHINDSA)
JUDGE**