

CRM-M-33094-2016

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

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Date of Decision: 19.09.2016

Kanwaljit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajesh Kapila, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.26 dated 24.03.2004, registered at Police Station Kalanour, District Gurdaspur, under Section 420 IPC.

I have heard learned counsel for the petitioner and perused the record.

From the record, I find that the present petitioner filed application for exemption from personal appearance before the lower Appellate Court on 04.06.2016 which was allowed and case was adjourned to 17.08.2016 for arguments and it was made clear that no further adjournment shall be granted. On 17.08.2016, the present petitioner absented from the court proceedings and warrant of arrest was issued against him for 31.08.2016. On that day, the petitioner did not appear before the lower Appellate Court. Now the petitioner has filed the instant

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petition seeking anticipatory bail.

Keeping in view the fact that the petitioner has already misused the concession of bail granted to him by the lower Appellate Court, I do not find it a fit case where the petitioner is entitled for the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However if the petitioner surrenders before the lower Appellate Court within 7 days from today and moves application for bail, the same shall be decided by the lower Appellate Court within 5 days of its filing.

19.09.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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