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

CRM-M-34581 of 2016

Date of decision: September 29, 2016

Gurpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Ms. Rajni Gupta, Addl. AG
Punjab accepts notice on behalf of the State.

Rule. Heard forthwith learned counsel for the rival parties.

In FIR No.183 dated 18.07.2011, under Sections 307, 148,
149 of Indian Penal Code, 1860 and Sections 25, 27, 54, 59 of Arms
Act, 1959, registered at Police Station Civil Lines, Batala, Police
District Batala, District Gurdaspur, Punjab, the challan was filed and
the petitioner is prosecuted before the Sessions Court, Gurdaspur.

Learned counsel for the petitioner states that the petitioner
was on regular bail since 2011 and has been facing the trial before the
trial Judge, however, he remained absent on 04.07.2016. Learned
counsel has invited my attention to Para-5 of the petition and
contended that the petitioner did not appear on 04.07.2016 as wrong
date was noted down by him namely, 04.08.2016. Thus, the counsel
for the petitioner states that hereinafter, the petitioner would appear
before the trial Court promptly and would not make any default in
appearances and would cooperate with the trial Court for completion
of the trial.

Without going into the question whether the same is correct or not, I think the petitioner should be given a chance to be at liberty during trial. The trial Court has made an order dated 04.07.2016 cancelling the bail that was granted to the petitioner and issued non-bailable warrants. Without finding any fault with the order of the trial Court, since the counsel for the petitioner states that hereinafter, the petitioner would appear before the trial Court promptly and would not make any default in appearances and would cooperate with the trial Court for completion of the trial which is an old case, I think the petitioner deserves to be given a chance to continue on bail.

In that view of the matter, the impugned order dated 04.07.2016 (Annexure P-2) is quashed and set aside. Petitioner is allowed to continue on bail on the same bail bonds furnished before the trial Court on the undertaking furnished by him before this Court through his counsel.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

September 29, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No