

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

Sr. No.103

CRM NO. M-35840 of 2016
DECIDED ON: October 06, 2016

BALTEJ SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vivek Goel, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Notice of motion.

At the asking of the Court, Mr. RPS Sidhu, AAG, Punjab accepts notice on behalf of the respondent-State. Copy of the petition be supplied to learned State counsel during the course of day.

By virtue of this petition preferred under Section 438 Cr.P.C., petitioner-Baltej Singh has sought pre-arrest bail apprehending his arrest in case FIR No.206, dated August 24, 2011, under Sections 399 and 402 IPC and 25 of Arms Act, 1959, registered at Police Station City Kotkapura, District Faridkot.

Undoubtedly, the petitioner, after grant of bail, was appearing on each and every date fixed before the trial Court. On August 02, 2016, he could not appear due to the reason that on August 01, 2016, he sustained some injuries, as a result whereof, he was lying admitted in Civil Hospital,

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Faridkot, where he was medically examined. Petitioner has placed on record the copy of MLR to fortify his version. Moreover, his bail order was cancelled and bail bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. Thereafter, petitioner approached the Court of Sessions seeking pre-arrest bail and after dismissal thereof, has preferred the instant petition. This is suggested of the fact that there is no intention on the part of the petitioner to flee away from proceedings.

Taking into consideration the aforesaid aspects of the matter, instant petition is disposed of with a direction to petitioner to appear/surrender before the trial Court/Duty Magistrate on October 19, 2016, the date already fixed before the trial Court, who shall be bailed out by the trial Court/Duty Magistrate at its satisfaction.

October 06, 2016
Avin/Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No