

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

CRM-M -38916 of 2015 (O&M)
Date of decision: 14.09.2016

Hardawinder Singh @ Harwinder Singh @ Kala Singh
...Petitioner
Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR NO.42 dated 22.05.2014, registered under Sections 308, 148 read with Section 149 IPC, at Police Station City Budhlada, District Mansa.

On 03.12.2015, this Court had passed the following order:-

“This is an application for correction of order dated 19.11.2015.

Learned counsel submits that while hearing the petition on 19.11.2015 this Court had directed the petitioner to appear before the trial Court on 27.11.2015 and on his doing so, he was ordered to be released on interim bail subject to furnishing bonds to the satisfaction of Court concerned and Rs.1500/- as cost each to both the witnesses had been ordered. However, due to typographical error;

these facts could not be mentioned in the order dated 19.11.2015 and only notice of motion was mentioned.

Reader's register and the notes on the file and the official to whom the order was dictated has been checked and the facts stated at bar by the counsel are verified.

Application is allowed. Order dated 19.11.2015 is modified and it is directed that the petitioner shall now appear before the trial Court on 10.12.2015 and pay/ deposit Rs.1500/- each for the two witnesses who will have to be summoned again. On his doing so, he shall be released on interim bail subject to furnishing bonds to the satisfaction of Court concerned.

To come up on 15.12.2015, the date already fixed in the main petition. Petitioner shall produce the order of trial Court on the next date of hearing.”

It is contended that in pursuance of the order dated 03.12.2015, the petitioner has appeared and furnished bail/surety bonds before the trial Court. The certified copy of the order dated 20.01.2016, passed by the trial Court is taken on record.

The learned State counsel does not controvert the above said fact.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 03.12.2015, is made absolute.

The petition stands disposed of.

14.09.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No