

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

Crl. Misc. M-41544 of 2016 (O&M)
Date of Decision: 21.11.2016

Surjit Ram and another

...Petitioners

Versus

Ram Rattan Singh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. H.S. Batth, Advocate
for the petitioners.

JAISHREE THAKUR, J. (Oral)

This petition has been filed for grant of anticipatory bail to the petitioners in Criminal Complaint No.27 dated 09.08.2010 titled as “*Ram Rattan Singh vs. Krishan Singh and others*” in which they have been summoned under Sections 452, 325, 323, 354, 506, 148, 149 of the Indian Penal Code.

Learned counsel for the petitioners contends that the petitioners were regularly appearing before the trial court, but had to leave for Canada to look after their grandson. They left without seeking permission of the trial court and were not able to appear on the dates as fixed, with the result, non-bailable warrants were issued by the trial court. Since they did not put in appearance, PO proceedings were initiated against the petitioners and they have been declared as proclaimed offenders vide order dated 30.11.2015. It is concluded that the petitioners have since returned and

moved an application seeking bail, but the same came to be dismissed on the ground that they did not seek prior permission before moving for abroad. Counsel submits that petitioners herein left on account of an emergent need to look after their grandson and have now returned and ready to appear and face the proceedings as have been initiated against them. He further submits that all the offences for which they have been summoned are bailable and seeks protection against the arrest with an undertaking that they will appear before the trial court on each and every date.

I have heard learned counsel for the petitioners.

While noting the fact that offences under which the petitioners have been summoned are all bailable and keeping the age of the petitioners i.e. 70 and 63 respectively, I deem it appropriate to grant interim protection to the petitioners herein in order to approach the trial court for having the orders declaring them PO as set aside. The petitioners are directed to appear before the trial court within a period of 10 days from today and on doing so, they shall be released on bail by the trial court upto its satisfaction. However, it is made clear that in case the appropriate applications are not moved, the interim protection, as granted today, shall stand automatically vacated.

The petition is disposed of accordingly.

November 21, 2016

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No