

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

CRM No.M-9877 of 2016 (O&M)

Date of decision: 21.03.2016

Raj Gill @ Shamsheer Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

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 case bearing FIR No. 85 dated 27.05.2010, registered under Sections 420 and 406 IPC, at Police Station Moga City, District Moga.

Notice of motion.

At the asking of the Court, Mr. Mehardeep Singh, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State.

The learned counsel contends that the petitioner was admitted to bail by this Court on 19.08.2010. However, due to ill health as reflected in Annexure P4 to P7, the petitioner could not appear before the trial Court on various dates. The absence of the

petitioner is not intentional and deliberate. He further refers to the compromise deed (Annexure P-2) and states that the compromise has been reached between the parties. The petitioner has paid the entire amount to the complainant. A quashing petition bearing number CRM-M-9117 of 2016 has also been filed by the petitioner wherein the notice of motion has already been issued for 24.04.2016.

On the other hand, the learned State counsel opposes the bail application.

Keeping in view the facts that the petitioner had earlier was admitted to bail; the whole amount stand re-paid and the medical record (Annexure A-4 to A-7), it is ordered that in case the petitioner appears/surrenders before the trial Court, within a week from today, in that eventuality, he shall be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the trial Court.

Disposed of.

21.03.2016

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(JITENDRA CHAUHAN)
JUDGE