

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-10395-2017(O&M)

Date of decision: 04.09.2017

Jasvir Singh @ Jasbir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anirudh Kush, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM No.16856 of 2017.

This is an application for placing on record the copy of trial
Court order dated 03.04.2017.

Application is allowed. Order of the trial Court is taken on
record.

CRM-M-10395-2017

Petitioner is seeking concession of anticipatory bail under
Section 438 Cr.P.C. in case FIR No.81, dated 11.03.2016, under Sections
420, 120-B IPC, registered at Police Station Sector-5, Panchkula.

While issuing notice of motion, the following order has been
passed:-

*“The instant petition has been filed under Section
438 Cr.P.C. seeking concession of anticipatory bail to the
petitioner in case FIR No.81, dated 11.03.2016, under Sections
420/120-B IPC, registered at Police Station Sector-5,
Panchkula.*

*Counsel submits that the petitioner had been
granted concession of bail and had associated with the trial*

proceedings but on account of non appearance on 17.10.2016, the benefit of bail has been cancelled and bail bonds have been forfeited.

Counsel has adverted to the custody certificate issued by the Superintendent, District Jail, Roopnagar dated 04.02.2017 at Annexure P-3 to contend that the petitioner did not appear on 17.10.2016 as he was implicated in yet another FIR bearing No.91, dated 16.07.2015 and in which he was granted bail on 07.11.2016 and actually released on 10.11.2016. Counsel contends that non appearance of the petitioner on 17.10.2016 as such stands fully explained. It is further contended that the learned Additional Sessions Judge, Panchkula while passing the impugned order dated 08.02.2017 has recorded wrong facts.

Notice of motion, returnable for 01.05.2017”.

Learned counsel for the petitioner submits that in pursuance to order dated 28.03.2017, the petitioner has already put in appearance before the trial Court on 03.04.2017, as per the order placed on record and is regularly appearing before the trial Court.

Learned State counsel has not disputed this factual position.

In view of the above, the present petition is disposed of. The order dated 28.03.2017, is made absolute.

(ARVIND SINGH SANGWAN)
JUDGE

04.09.2017
Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No