

CRM-M-12689-2017

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

CRM-M-12689-2017

Date of Decision:18.04.2017

Dharminder Singh alias Kaka

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Achin Gupta, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Dharminder Singh alias Kaka has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.101 dated 04.06.2015, registered at Police Station Ghall Khurd, District Ferozepur, under Sections 307, 336 and 34 of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion. On the asking of Court, Mr. V.P.S.Sidhu, AAG, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner absented from the court proceedings only on one date i.e. 03.03.2017. However, on that day,

the petitioner filed application seeking his exemption from personal

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appearance on the ground that he was unwell. It is mentioned in the impugned order dated 29.03.2017 passed by learned Additional Sessions Judge, Ferozepur that the petitioner has filed the application for his exemption from personal appearance alongwith one medical certificate showing that he was admitted in Emergency Ward of A-One Negi Hospital, Mudki.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case; that trial of the case will take a long time and no useful purpose will be served by sending the petitioner to custody, I find merit in the present petition and the same is allowed. The petitioner is directed to surrender before the trial Court within 10 days from today and on doing so, he shall be released on bail by the trial Court to its satisfaction. If the petitioner fails to appear before the trial Court within the stipulated period, instant petition shall be treated as dismissed.

18.04.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No