

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

CRL. MISC. No.M-15902 OF 2017 (O&M)
DATE OF DECISION : 9th MAY, 2017

Bhupinder Singh @ Bhinda

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sarju Puri, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Ms. Rajni Gupta, Addl. A.G. Punjab accepts notice on behalf of respondent-State.

Rule.

Heard forthwith with consent of counsel for the rival parties.

Leave to amend the prayer clause to challenge the order dated 07.03.2017 Annexure P-2.

In a pending trial arising out of FIR No.20 dated 16.04.2014 registered under Sections 323, 324, 325, 148 & 149 IPC at Police Station Kathgarh, District S.B.S. Nagar, the petitioner who was on bail remained absent on 07.03.2017. No intimation was also given to the Court nor any exemption was sought. As such learned trial Court cancelled the bail bonds and issued non-bailable warrants against the petitioner and issued notice to his surety.

Since the trial as well as the cross-version both are pending before the Additional Sessions Judge and since the learned counsel for

the petitioner on instructions from the petitioner makes statement that the petitioner would not make any default and would hereafter appear before the trial Court with promptitude, I think the petitioner should be given a chance to be at liberty for facing the trial.

In view of the above, but without finding any fault with the order made by the trial Court issuing non-bailable warrant, I think the petitioner should be given an opportunity as a last chance to hereinafter cooperate in disposal of the case. In the result, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-15902 OF 2017 is allowed.
- (iii) Impugned order dated 07.03.2017 (by amendment) is set aside.
- (iv) The petitioner is granted anticipatory bail in the present case on the bonds already furnished by him before the trial Court.
- (v) The petitioner would continue to appear before the trial Court with promptitude till the completion of trial.
- (vi) Any further failure on the part of the petitioner shall result into trial Court taking him in custody.

Disposed of accordingly.

9th MAY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No