

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

**CRL. MISC. No.M-17884 OF 2017 (O&M)
DATE OF DECISION : 22nd MAY, 2017**

Gagandeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Kushaldeep S. Sandhu, 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 the State.

Rule.

Heard forthwith with consent of counsel for the rival parties.

This is a petition for grant of anticipatory bail in FIR No.114 dated 20.08.2012 registered under Sections 392 & 34 IPC and Section 25/54/59 of Arms Act at Police Station Sarabha Nagar, District Ludhiana.

The petitioner was granted regular bail and continued to be so. The case relates to the year 2012. The allegations against the petitioner are that he had robbed the victim on the point of pistol with cash amount of ₹10,000/-.

Learned counsel for the petitioner submits that the petitioner has met with an accident that is why he could not appear before the trial Court and the trial Court has now issued non-bailable warrant against him. Learned counsel for the petitioner submits that the petitioner is ready to face the trial but order dated 11.07.2016 is coming in way vide which non-bailable warrant has been issued against the petitioner.

In view of the fact that the petitioner was on bail for number of years, in my opinion, without finding any fault with the order made by the trial Court issuing non-bailable warrant for default in appearance by the petitioner, I think the petitioner should be given an opportunity as a last chance to hereinafter cooperate in disposal of the case, particularly because of the serious injuries caused to him in the accident. I have seen the photographs appended with the petition and in my opinion the petitioner deserves to be on bail till the trial is completed. But then looking to the allegations against the petitioner and earlier case of robbery, the petitioner has to deposit some cost with the trial Court, which shall be forfeited to the State of Punjab.

In view of the above, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-17884 OF 2017 is allowed.
- (iii) Impugned order dated 11.07.2016 is set aside.
- (iv) The petitioner is granted anticipatory bail in the present case on furnishing fresh bail bonds to the satisfaction of the trial Court, subject to deposit of ₹25,000/- with the trial Court within four weeks.
- (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.

22nd MAY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No