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

CRM-M-19630 of 2017

Date of decision: May 30, 2017

Satnam Singh @ Sukhi

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Sandeep Arora, Advocate for the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mrs. Rajni Gupta, Addl. AG Punjab accepts notice on behalf of the State.

Rule. Heard forthwith with the consent of learned counsel for the rival parties.

This is a petition for grant of anticipatory bail to the petitioners in FIR No.11 dated 26.01.2015, under Section 174 A of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station New Baradari Jalandhar.

Petitioner was on bail in FIR No.289 dated 02.12.2010, under Sections 323, 325, 148, 149, 120-B of IPC, registered at Police Station Division No.7, Jalandhar. While trial was on, he remained absent for a period of almost one and a half year. The trial Court, therefore, declared him proclaimed person and accordingly, the present FIR No.11 dated 26.01.2015 as stated above was registered against him, in which he seeks anticipatory bail.

Learned counsel for the petitioner has then pointed out the

order dated 08.08.2016 (Annexure P-3) which is the order made by Chief Judicial Magistrate, Jalandhar vide which the offence under Section 325 of IPC in the said FIR stands compromised and compounded. In that view of the matter, he claims that the petitioner should be allowed the concession of anticipatory bail.

In my view looking to the to the above background facts, the petitioner should be granted the relief of anticipatory bail in the present FIR No.11 dated 26.01.2015, subject to his paying ₹10,000/- (non-refundable) amount by way of compensatory costs to be forfeited to the State of Punjab. Learned counsel for the petitioner has accepted that the compensatory costs of ₹10,000/- (non-refundable) shall be paid. In the result, following order is passed:-

ORDER

- (i) Rule is made absolute.
- (ii) The petitioner is ordered to be released on anticipatory bail in FIR No.11 dated 26.01.2015, under Section 174-A of IPC, registered at Police Station New Baradari Jalandhar, on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned and further, subject his depositing ₹10,000/- (non-refundable) with the office of Commissioner of Police, Jalandhar to be forfeited to the State of Punjab, within a period of 15 days from today.

(A.B. CHAUDHARI)
JUDGE

May 30, 2017
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No