

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

CRM-M-2428 of 2017 (O&M)

Date of decision: 02.03.2017

Raj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Amandeep Singh, Advocate for the petitioner.

Mr. R.S. Nain, AAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner seeks anticipatory bail in FIR No. 24 dated 01.02.2015, registered under Sections 307, 323, 506 and 148 read with Section 149 of IPC, at Police Station Shimlapuri, District Ludhiana.

It is contended that bail bonds of the petitioner was cancelled on a solitary absence on 08.11.2016. The petitioner had been regularly appearing before the trial Court. The absence of the petitioner was neither willful nor intentional. The petitioner could not appear before the trial Court as he has been suffering from diarrhea as reflected in Annexure P-3 issued by Dr. Sunil Kalra.

The factual aspect to the extent that the petitioner had earlier been regularly appearing is not controverted by the learned State counsel.

Heard.

Keeping in view the above facts and circumstances of the case, it is ordered that in case the petitioner appears/surrenders before the trial Court within a week from today, in that eventuality, he shall be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the trial Court, however, the same shall be subject to payment of costs of Rs.10,000/- to be paid to the complainant.

Disposed of.

02.03.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No