

207.

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

CRM-M-26131-2017

Date of decision:28.07.2017

NISHAN SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.55 dated 07.05.2016 under Section 174-A IPC, registered at Police Station City Batala.

Learned counsel for the petitioner states that in FIR No.139 dated 26.07.2012 under Section 420 IPC, registered at Police Station City Batala, the petitioner was declared as proclaimed person. Accordingly, he approached this court by way of CRM-M-18567-2017 titled as 'Nishan Singh Versus State of Punjab', and this Court, while considering the fact that the offence is triable by the Magistrate and the petitioner was already on bail, one more opportunity was granted to the petitioner to appear in the case. Accordingly, vide order dated

12.07.2017, the said petition i.e. CRM-M-18567-2017 was disposed of on the following terms:-

“(i) Rule is made absolute.

(ii) CRL. MISC. No.M-18567 OF 2017 is allowed.

(iii) The petitioner is granted anticipatory bail in the present FIR on furnishing fresh bail bonds to the satisfaction of the trial Court, subject to deposit of cost amount ₹5,000/- with the trial Court within two weeks from today as a pre-condition.

(iv) The petitioner shall continue to appear before the trial Court with promptitude till the completion of trial.

(v) Any further failure on the part of the petitioner shall result into taking him in custody by the trial Court.”

Learned counsel for the petitioner further states that though the petitioner is ready to surrender but because of FIR No.55, he is unable to do so. He states that the petitioner is ready to appear before the trial Court and to face trial in accordance with law.

Learned State counsel, on instructions from ASI Paras Ram, states that the petitioner has intentionally obstructed the trial by remaining absent on several dates and, therefore, no concession can be granted.

Be that as it may, but considering the fact that this Court in CRM-M-18567-2017 has already allowed the petitioner to appear before the trial Court, the petitioner is ready to face trial in the present FIR No.55 as well, this Court feels that the petitioner deserves the concession of bail.

Considering the facts and circumstances of the case, present petition is disposed of with a direction that in case, the petitioner surrenders before the trial Court within a week from today, the trial Court shall admit him on bail on furnishing bail bonds/surety bonds to its satisfaction.

(HARI PAL VERMA)
JUDGE

28.07.2017
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.