

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

Sr. No.201

CRM-M No.27682 of 2016

Date of decision: 24.01.2017

Gurjit Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. B.S. Guliani, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

Ms. Ritu Kaushal, Advocate for
Mr. Sanjiv Pandit, Advocate
for the complainant.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks grant of anticipatory bail in FIR No.4 dated 06.01.2009, under Sections 420/467/468/471/120-B IPC, registered at Police Station Sri Muktsar Sahib, District Muktsar Sahib.

Learned counsel for the petitioner submits that in the FIR in question, on 29.09.2009 the petitioner was granted regular bail by Additional Sessions Judge, Sri Muktsar Sahib and in pursuance to such orders, he furnished his bail bonds on 30.09.2009. Since the filing of the challan was delayed, the trial Court adjourned the matter sine die till the presentation of the challan which was presented on 22.02.2014.

resulting in the initiation of proceedings to declare him a proclaimed offender. It is at that stage that the present petition was filed before this Court.

On 12.08.2016, while issuing notice of motion, this Court had granted ad-interim bail to the petitioner subject to the fact that the petitioner surrenders.

It is the admitted position that in pursuance to the order dated 12.08.2016, the petitioner had appeared before the trial Court. On his appearance on 18.08.2016, the trial Court passed the following order:-

“Proclamation issued against accused Gurjeet Singh received back duly executed. Statement of serving constable recorded. However, Gurjeet Singh has put appearance before the Court. The perusal of the file shows that he was granted regular bail by the court of Ld. Addl.Sessions Judge, Sri Muktsar Sahib on 29.09.2009 and the bail bonds has furnished on 30.09.2009. Thereafter, vide order dated 08.11.2013 passed by Ld. Predecessor of this court, the remand papers were consigned to record room sine die till the presentation of challan. The same was presented on 22.02.2014 and since then notice was being issued to accused Gurjeet Singh. His previous bail bonds and surety bonds were never canceled. Moreover, accused has placed on record a certified copy of order dated 12.08.2016 passed by Hon'ble Punjab and Haryana High Court whereby his interim anticipatory bail has been allowed with direction to appear before investigating officer. Keeping in view the aforesaid order passed by Hon'ble Punjab and Haryana High Court and the fact that accused has already furnished bail bonds after joining investigation, his presence is

marked. Now file be put up for consideration on charge for 30.08.2016.”

In view of the bonafide shown by the petitioner and with a further direction that on all subsequent dates the petitioner would appear before the trial Court, the ad-interim bail granted to the petitioner through the order dated 12.08.2016 is made absolute.

The petition stands allowed in the above terms.

(DEEPAK SIBAL)
JUDGE

January 24, 2017
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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No