

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

Sr. No.201

CRM No.M-29232 of 2017

DECIDED ON: September 12, 2017

SAUDAGAR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Naresh Kumar Kalia, Advocate,
for the petitioner.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

JASPAL SINGH, J. (ORAL)

Through the second criminal miscellaneous petition preferred under Section 438 of Cr.P.C., petitioner has sought the concession of pre-arrest bail in case bearing FIR No.147, dated September 02, 2015, under Sections 379 IPC and Section 21 of the Mines & Minerals Act, registered at Police Station Meharban, District Ludhiana.

2. Undisputably, in compliance of order dated August 11, 2017, petitioner has joined the proceedings before trial court and furnished the requisite bail bonds etc. at its satisfaction and has undertaken to cooperate with the trial. Thus, otherwise also, it would not be desirable that petitioner be sent behind the bars especially in view of the fact that he mistook the

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date as April 08, 2017 instead of April 03, 2017. As such, absence of the petitioner before trial court appears to be unintentional. Moreover, immediately on cancellation of bail bonds on account of his absence, petitioner approached this Court by way of instant petition, which is suggestive of the fact that there is no intention of the petitioner to flee away from justice.

3. Accordingly, order dated August 11, 2017 is made absolute. However, trial court shall be at liberty to cancel his bail bonds, in case, it comes to the conclusion that there is any intentional absence or non-cooperation on the part of the petitioner during the trial.

September 12, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No