

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

CRL. MISC. No.M-35861 OF 2017
DATE OF DECISION : 13TH OCTOBER, 2017

Prithipal Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Raj Kumar Gupta, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab, accepts notice on behalf of the State.

Rule.

Heard forthwith with consent of counsel for the rival parties.

In FIR No.86 dated 21.06.2014 registered under Section 15/61/85 at Police Station Payal, Police District Khanna, District Ludhiana, the petitioner seeks anticipatory bail.

It is not in dispute that the petitioner was arrested and was thereafter released on interim bail awaiting the report from the Chemical Examiner. The report was received on 07.05.2015. Thereafter the matter came up before the trial Court on 08.09.2017 when the petitioner was not present before the Court and no intimation was given by the petitioner to the Court. In other words, though the chemical report was received on 07.05.2015, the Court noticed the same for the first time on

08.09.2017 and having found the petitioner absent it cancelled his bail bonds and issued non-bailable warrants by forfeiting the bail bonds furnished by the petitioner.

In my opinion, the following order would subserve the interest of justice:

ORDER

- (i) CRL. MISC. No.M-35861 OF 2017 is partly allowed.
- (ii) Petitioner shall be released on bail in this FIR by the trial Court to its satisfaction for a period of six weeks from today.
- (iii) In the meanwhile, the petitioner shall be entitled to apply for regular bail before the trial Court which shall peruse the chemical examiner report and dispose of the regular bail application on its own merits in accordance with law.

13TH OCTOBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>