

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

**CRL. MISC. No.M-37459 OF 2017 (O&M)
DATE OF DECISION : 9th OCTOBER, 2017**

Vikas Aggarwal

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Prashant Vashisth, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.117 dated 22.06.2016 registered under Sections 399, 402 & 472 IPC read with Section 25 Arms Act and 22/61/85 of NDPS Act at Police Station Model Town, District Ludhiana.

Notice of motion.

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

Rule.

Heard forthwith with consent of counsel for the rival parties.

It is not in dispute that the petitioner was on regular bail in the above said FIR. However, during the trial he remained absent on 09.08.2017 without any intimation to the trial Court and therefore proclamation was issued to procure his presence. However, thereafter he appeared before the Sessions Court and asked for anticipatory bail. The

trial Court did not grant him bail as he did not accepted the reasons given by the petitioner.

In my opinion, since the petitioner was already on regular bail, without finding any fault with the order made by the trial Court issuing, I think the petitioner should be given an opportunity as a last chance to hereinafter cooperate in disposal of the case.

In that view of the matter, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-37459 OF 2017 is allowed.
- (iii) In the event of arrest in this FIR, the petitioner be released on bail to the satisfaction of the trial court on furnishing bail bonds.
- (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.

9th 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>