

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

CRM-M-37887-2017(O&M)

Date of decision: 10.10.2017

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed by the petitioner under Section 438 Cr.P.C. seeking grant of anticipatory bail to him in case FIR No. 178 dated 01.12.2013, under Sections 376, 420 IPC, registered at Police Station City Dhuri, District Sangrur.

In brief, the facts are that the petitioner could not appear before the trial Court on 05.09.2017 as he was deployed in forward area and due to exigencies of service he could not take leave for attending Court. A request for extension of the date of hearing was made by his Commanding Officer that the petitioner could not appear in the Court on account of the fact that he is serving in the forward area. Order dated 05.09.2017, came to be passed by the trial Court declining his application for exemption and issued bailable warrants of arrest against the petitioner.

Learned counsel for the petitioner argues that the petitioner could not appear before the trial Court on 05.09.2017 as he was serving in forward area and due to exigencies of service he could not take leave for attending Court.

I have heard learned counsel for the petitioner and deem it appropriate to set aside the impugned order in limine while also directing the petitioner to appear before the trial Court on or before 30.10.2017. The arrest of the petitioner is stayed till 30.10.2017 in order to enable him to join the proceedings before the trial Court. IN case, he does appear and files an appropriate application for grant of bail, he shall be admitted to bail by the trial Court to its satisfaction.

However, it is made clear that in case the petitioner does not present himself before the Court below within the specified time, any protection granted by this Court shall stand automatically vacated.

The petition stands disposed of accordingly.

10.10.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.