

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

208

CRM-M-4098 of 2017

Date of Decision: May 02, 2017

Rohtas

....Petitioner

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ashok Singla, Advocate
for the petitioner.

Mr. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in F.I.R. No.101 dated 06.12.2011 under sections 341, 323, 336, 427, 34 of Indian Penal Code and Sections 25/27/54/59 of Arms Act, registered at Police Station Bhadson, District Patiala.

On 08.02.2017, while issuing notice of motion, the following order was passed by this Court:-

“The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.101 dated 06.12.2011 registered under sections 341, 323, 336, 427, 34 I.P.C and Sections 25, 27, 54, 59 of Arms Act (Section 307 I.P.C added later on) Police Station, Bhadson, District Patiala.

Counsel would submit that after registration of the FIR, petitioner was arrested and after approximately four months of custody petitioner was granted benefit of bail. It is further contended that the petitioner had been appearing regularly before

the Trial Court but only on account of having absented on one solitary dated i.e. 15.12.2016 his bail bonds and surety bonds have been forfeited and he is now summoned through nonailable warrants. Further contended that non appearance on 15.12.2016 was on account of bonafide reasons and the intent was not to evade trial proceedings.

Notice of motion, returnable for 02.05.2017.

It is directed that in case the petitioner duly appears before the Trial Court on the date already fixed i.e. 09.02.2017, he would be entitled to ad interim bail subject to satisfaction of the Trial Court.

A copy of this order be furnished to learned counsel for the petitioner under the signatures of Bench Secretary.” .

Learned counsel during the course of hearing today has made available for perusal of this Court a copy of the order dated 09.02.2017, passed by the learned Additional Sessions Judge, Patiala and which would reflect that the petitioner duly appeared on 09.02.2017 and was admitted to interim bail upon having furnished requisite bail bonds and surety bonds.

Learned State counsel upon instructions from ASI Parwinder Singh would apprise the Court that the petitioner has since joined investigation.

Keeping in view the fact that the petitioner has joined trial proceedings, prayer made in the present petition, is accepted.

The order dated 08.02.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2017
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***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**