

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

CRM-M-43217-2016 (O&M)

Date of decision: 11.01.2017

Kartar Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Dheeraj Mahajan, Advocate
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Amrik Singh.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a case FIR No.78, dated 12.09.2014, registered under Sections 307, 186, 353, 332 and 148 of the Indian Penal Code (for short 'the IPC') read with Section 149 IPC and Section 25 of the Arms Act, at Police Station Bhaini Mian Khan, District Gurdaspur and for issuance of direction to the learned trial Court/Duty Magistrate to admit the petitioner on bail in the event of his surrender.

It is contended that the absence of the petitioner from the process of the Court is not wilful and deliberate in fact the petitioner being a student has been pursuing PRE-SEA training course for G.P. RTING as is made out from Annexure P-3 issued by Dean. He further states that the

counsel representing the petitioner before the trial Court had informed that personal exemption application of the petitioner had already been granted by the Court, therefore, the petitioner could not appear.

Heard.

Considering the facts that the petitioner is not named in the FIR; no specific injury is attributed to him; he is pursuing the studies; and he had moved an application for personal exemption, the present petition is disposed of with a direction to the petitioner to appear before the trial Court, within a week from today, and furnish bail bonds/surety bonds. In the event of his doing so, he shall be admitted to bail by the trial Court, to its satisfaction.

11.01.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No