

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-45038 of 2016

.....

Date of decision:17.2.2017

Jaswant Singh

...Petitioner

v.

State of Punjab and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. J.S. Rana, Advocate with Mr. H.C. Arora, Advocate for the petitioner.

Mr. Deep Singh, Assistant Advocate General, Punjab
for the respondent-State.

Mr. M.S. Bedi, Advocate for respondent No.4.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. read with Section 439(2) Cr.P.C. for cancellation of the anticipatory bail granted to respondent No.4/accused by this Court vide order dated 28.8.2015 (Annexure-P.2) in case FIR No.64 dated 11.7.2015 registered for the offences under Sections 420, 465, 468, 471 and 120-B IPC and Section 13 (2) of the Prevention of Corruption Act, 1988 at Police Station Kabirpur, District Kapurthala.

Notice of motion has been issued in this case.

Mr. Deep Singh, learned Assistant Advocate General, Punjab,

has put in appearance on behalf of the respondent-State and Mr. M.S. Bedi,

[2]

learned Advocate has appeared for respondent No.4/accused and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner argued that respondent No.4/accused after the grant of anticipatory bail had visited foreign country without taking prior permission from the trial Court and, thereby has violated the terms and conditions of anticipatory bail and his bail should be cancelled.

On the other hand, learned counsel for the private respondent No.4 argued that respondent No.4 is a Government Officer and has been working as ADC. He had gone abroad after taking permission and sanctioning of leave from the Government and now has come back. Learned counsel for respondent No.4 has argued that a mistake has been committed by respondent No.4, but he was not knowing that the permission is also to be taken from the trial Court though he had taken the permission to visit abroad from the Government. Learned counsel has also tendered unconditional apology on behalf of respondent No.4.

Keeping in view the facts and circumstances of the present case and in view of the fact that respondent No.4 admits that no permission was taken from the trial Court and in view of the fact that respondent No.4 is a Government servant; has taken permission from the government; now has come back and has also tendered unconditional apology, showing his bona fide conduct, I do not find any ground to cancel the anticipatory bail granted to respondent No.4.

[3]

However, respondent No.4 is directed to be careful in future and not to violate the terms and conditions of the order passed by this Court granting bail to him.

With these observations, this petition is dismissed.

February 17, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No