

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

**CRL. MISC. No.M-46683 OF 2017 (O&M)
DATE OF DECISION : 8th DECEMBER, 2017**

Gurbahal Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

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Present : Mr. Gurmeet Singh, Advocate for
 Mr. Balraj Singh Sidhu, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab, accepts notice on behalf of respondent-State.

Rule.

Heard forthwith with consent of counsel for the rival parties.

The petitioner seeks anticipatory bail in FIR No.77 dated 07.09.2016 registered under Sections 451 & 379-B IPC at Police Station City-2, District Mansa. Admittedly, the petitioner was on regular bail however, according to him since he had appeared in the other FIR No.70 dated 16.09.2013, he could not appear before the trial Court in this case and therefore, after marking his absence the trial Court issued non-bailable warrants against the petitioner.

In that view of the matter, without finding any fault with the order made by the learned Additional Sessions Judge, I think the petitioner should be given an opportunity as a last chance to hereinafter cooperate in disposal of the case. Particularly because the learned

counsel for the petitioner makes statement that the petitioner would hereinafter appear before the trial Court with promptitude. In the result, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-46683 OF 2017 is allowed.
- (iii) Impugned order dated 27.09.2017, issuing non-bailable warrants against the petitioner, is set aside.
- (iv) The petitioner is granted anticipatory bail in the present case on furnishing fresh bail bonds to the satisfaction of the trial Court, subject to deposit of non-refundable cost amount of ₹2,000/- by the petitioner with the State of Punjab.
- (v) The petitioner would continue to appear before the trial Court with promptitude till the completion of trial.
- (vi) Any further failure on the part of the petitioner shall result into trial Court taking him in custody.

Disposed of accordingly.

8TH DECEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No