

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM No.M-5293 of 2017
Date of decision:17.2.2017

Ashok Masih

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Dheeraj Mahajan, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that though the learned Additional Sessions Judge, Gurdaspur, vide his order dated 9.1.2017, while dismissing the petition filed under Section 438 Cr.P.C., had directed that if the petitioner surrenders before the trial Court within 10 days, the trial Court would decide the bail application on the same day, a certified copy of the order dated 9.1.2017 was prepared only on 21.1.2017, i.e. after the period of 10 days was already over. Hence, the order of the learned Additional Sessions Judge had become inoperative by that date.

In the aforesaid circumstances, which seems to be borne out from the stamp of the copying agency of the Court below, with the date of preparation of the copy shown to be 21.1.2017, this petition, also filed under Section 438 Cr.P.C., is dismissed, but with the order of the learned Additional Sessions Judge, Gurdaspur, dated 9.1.2017, repeated to the extent that if the petitioner surrenders before the trial Court and submits his bail application on the date of hearing fixed for the trial, it would be decided

on the same day.

Learned counsel submits that the next date of hearing before the trial Court is 20.2.2017.

In view of the above, a copy of this order be given to the learned counsel for the petitioner, under the signatures of the officiating Reader of this Court.

17.2.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No