

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-6585 of 2017

.....

Date of decision:2.3.2017

Jaswant Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Jatinder Pal Singh, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.150 dated 30.9.2014 registered for the offences under Sections 307, 336, 427, 506 read with Section 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Kulgarhi, District Ferozepur.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the challan was presented against the present petitioner and he filed the application for exemption in this case. A perusal of the record especially the order dated 6.2.2017 passed by the learned Additional Sessions Judge, Ferozepur, shows that in this case challan was presented on 14.7.2015 and charges were framed on 27.7.2015.

Thereafter, on 22.12.2015, three witnesses were examined-in-chief, but the

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accused got the cross-examination of the witnesses deferred on the ground that they were to engage a counsel. Subsequently, on the ten adjourned dates the witnesses were appearing regularly, but the accused were moving applications for exemption and witnesses were sent back without their cross-examination recorded. The Court below also discussed the conduct of the present petitioner, whose bail order was cancelled on 24.8.2016. He was continuously filing applications for exemption from appearance. The Court below held that the proceedings were stalled due to non-appearance of accused Jaswant Singh. A perusal of the order dated 6.2.2017 passed by the learned Additional Sessions Judge shows that the Court has rightly declined the application for anticipatory bail and in view of the conduct of the present petitioner, no ground is made out for grant of anticipatory bail. Rather, due to his filing applications and then absenting from the Court since 24.8.2016, the trial has been delayed and even the statement of one of the witnesses cannot be completed after framing of the charges.

Therefore, in view of the above facts, I do not find any ground to grant the benefit of anticipatory bail and the same is dismissed.

March 2, 2017.

(Inderjit Singh)
Judge

hsp

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