

CRM-M-7247-2017

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

CRM-M-7247-2017

Date of Decision: 03.03.2017

Gurlal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Puneet Sharma, Advocate for
Mr. Sandeep Arora, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Gurlal Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for issuance of direction to learned Judicial Magistrate Ist Class, Tehsil Sunam, District Sangrur to admit the petitioner on bail in the event of his arrest/surrender in pursuance of non-bailable warrants issued against him on account of his absence in the Court on 03.10.2016, in case FIR No.136 dated 30.08.2015, registered at Police Station Chhajli, under Sections 323, 341, 506, 427 and 34 of the Indian Penal Code.

Notice of motion has been issued. On the asking of Court, Mr.V.P.S.Sidhu, AAG, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

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

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From the record, I find that the petitioner absented from the court proceedings on 03.10.2016; his bail was cancelled and warrants of arrest were issued against him.

Learned counsel for the petitioner submitted that the petitioner mistook the date as 03.12.2016 instead of 03.10.2016 and therefore, he could not appear in the Court.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find trial of the case will take a long time and, therefore, no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to surrender before the trial Court within 10 days from today and on doing so, he shall be released on bail by the trial Court to its satisfaction. If the petitioner fails to appear before the trial Court within the stipulated period, instant petition shall be treated as dismissed.

03.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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