

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

CRM No.M-732 of 2017 (O&M)

Date of decision:21.04.2017

Vinay Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of anticipatory bail in case FIR No.07, dated 30.01.2012, under Sections 307/323/341/506/148/149 IPC, registered at Police Station Islamabad, District Amritsar City.

While issuing notice of motion, the following order was passed by this Court on 16.01.2017:

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case of FIR No.07, dated 30.01.2012, under Sections 307/323/341/506/148/149 IPC, registered at Police Station Islamabad, District Amritsar City.

Counsel submits that the petitioner had been granted bail and had joined trial proceedings as well but only on account of non-appearance on one solitary date, the concession of bail has been cancelled and bail bonds have been forfeited. It is argued that non-appearance of the petitioner on the date of hearing i.e. 12.08.2016 was on account of bonafide reasons. Still further, it is contended that even in the main FIR, name of the petitioner does not even figure in the recital of allegations.

Notice of motion, returnable for 27.03.2017.

In the meanwhile, it is directed that in case the petitioner duly appears before the trial Court on the date already fixed i.e. on 22.02.2017, he would be granted ad interim protection as regards arrest subject to the satisfaction of the trial Court.”

Counsel appearing for the petitioner contends that in pursuance to the notice of motion order, the petitioner had put in appearance before the trial Court on 22.02.2017 and was admitted to bail upon furnishing requisite bail bonds/surety bonds. In support of such contention, counsel has furnished during the course of hearing today, a copy of the order dated 22.02.2017 passed by the learned Additional Sessions Judge, Amritsar.

Even, learned State counsel upon instructions from ASI Nirmal Singh submits that the petitioner has since joined trial proceedings.

Under such circumstances, prayer made in the present petition is accepted. Order dated 16.01.2017 passed by this Court is made absolute.

Disposed of.

21.04.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |