

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

**Crl. Misc. No. M-8212 of 2017
Date of Decision : March 14,2017**

Amit Palta Petitioner

VERSUS

The State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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Present: Mr. Surinder Gandhi, Advocate
for the petitioner.

Mr. G.S.Malik, Advocate
for the complainant.

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LISA GILL, J. (Oral)

The petitioner in this case was afforded the benefit of anticipatory bail by this Court in FIR No.173 dated 31.7.2015 under Sections 498-A and 406 IPC registered at Police Station Zirakpur, District S.A.S. Nagar Mohali vide order dated 22.3.2016 in Crl. Misc. No. M-40220 of 2015 (Annexure P3). Pursuant thereto the petitioner duly joined investigation and cooperated with the investigating agency. However, the final report/challan under Section 173 Cr.P.C. was submitted but there was no notice to the petitioner. It is submitted that meanwhile the petitioner remained under treatment for de-addiction at the Rehabilitation Centre,

issued against the petitioner as he failed to appear before the learned trial Court. It is submitted that the petitioner could not appear due to unavoidable circumstances beyond his control. He moved an application for grant of anticipatory bail before the learned Additional Sessions Judge, SAS Nagar, Mohali, which has however been dismissed as not maintainable because anticipatory bail already stood granted to the petitioner vide order dated 22.3.2016 by this Court.

Learned counsel for the petitioner submits that the petitioner undertakes to appear before the learned trial Court and be available to face trial on each and every date as may be fixed. His non-appearance was not intentional. The petitioner had duly joined investigation pursuant to grant of anticipatory bail by this Court.

Having heard the learned counsel and perusing the file, I find no infirmity in the order dated 6.3.2017 passed by the learned Additional Sessions Judge, SAS Nagar, Mohali. It is not in dispute that anticipatory bail was granted to the petitioner by this Court on 22.3.2016.

Keeping in view the facts and circumstances of the case, this petition is disposed of with a direction that in case the petitioner appears before the learned trial Court on or before 22.3.2017 non-bailable warrants issued qua him shall remain in abeyance. An application for regular bail if preferred by the petitioner be decided by the learned trial Court on the same day.

14.3.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No