

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

Crl. Misc. M-21279 of 2018 (O&M)

Date of Decision: May 18, 2018

Aman

...Petitioner

Versus

Union Territory of Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gautam Thapar, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail in FIR No.85 dated 01.10.2016 under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Women, Sector 17, Chandigarh.

Learned counsel for the petitioner contends that the petitioner herein has been appearing regularly in the matter before the trial court, however, was late in appearing in the court on 19.02.2018 and therefore, bail granted to him was cancelled and bail bonds were forfeited to state. It is submitted that 19.02.2018 was a day, when the lawyers were on a strike and his counsel could not appear in time.

I have heard learned counsel for the petitioner.

A perusal of the impugned order dated 19.02.2018, cancelling the bail of the petitioner herein, reveals that PW Ashok Kumar Verma and Hemant were present in the court since 9.30 a.m. and when neither the

petitioner-accused nor his counsel failed to appear in the court till 11.30 a.m., the impugned order came to be passed.

In view of the fact that no useful purpose would be served by sending the petitioner behind bars, as the trial has already commenced. The petitioner herein is directed to surrender before the trial court within 15 days from today and on his doing so, he be released on bail by the trial court, after serving notice under Section 446 Cr.P.C. upon him. The arrest of the petitioner is accordingly stayed for a period of 15 days from today, in order to enable him to surrender before the trial court.

The petition stands allowed accordingly.

May 18, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No