

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

Crl. Misc. No. M-29373 of 2018
Date of Decision: September 05, 2018

Gurbahal Singh

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Vikram Sheoran, Advocate,
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

DAYA CHAUDHARY, J.

Petitioner-Gurbahal Singh has approached this Court by way of filing the present petition under Section 439 Cr.P.C for grant of regular bail to him in case FIR No.77 dated 07.09.2016 registered under Sections 451, 379B of IPC at Police Station City-II Mansa.

Learned counsel for the petitioner submits that the petitioner was released on regular bail by the trial Court but he could not appear on one date before the trial Court and his bail was cancelled. Thereafter, the petitioner filed anticipatory bail before the Sessions Court, Mansa, which was dismissed. Thereafter, he filed Crl Misc. No. 46683 of 2017, which was allowed vide order dated 08.12.2017 with a condition to deposit an amount of ₹ 2,000/- but the petitioner could not arrange the money and the same could not be deposited. Thereafter, petitioner surrendered before the trial Court on 18.04.2018 and moved an application for bail which was

dismissed without considering the earlier facts and the order passed in favour of the petitioner. Now the petitioner is in custody since 18.04.2018. He undertakes to appear before the trial Court on each and every date of hearing. There is no other case pending against him.

Learned State counsel has not disputed the custody period and status of trial that out of total 10 witnesses, 04 have been examined.

Keeping in view the custody period and also the undertaking given by the petitioner to appear on each and every date before the trial Court and also the fact that petitioner was earlier released on regular bail and thereafter on anticipatory bail but he could not deposit the amount of cost, as directed, the present petition is allowed and petitioner-Gurbahal Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

05.09.2018.
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No