

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 32332 of 2018
Date of decision : July 31, 2018

Sandeep

..... **Petitioner**

Versus

State of Haryana

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Bijender Dhankhar, Advocate
for the petitioner.

RAJBIR SEHRAWAT, J (oral).

The present petition has been filed under Section 438 of Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 182 dated 10.5.2016 (Annexure P-1) under Sections 302, 120-B, 148 and 149 of Indian Penal Code and Section 25 of the Arms Act registered at Police Station Sadar Hansi, District Hisar.

Learned counsel for the petitioner submitted that earlier the petitioner was granted regular bail by the trial Court in this case. The petitioner was regularly appearing and facing the trial. However, on 4.6.2018 the petitioner could not appear before the court because he was ill and had been advised rest by the doctor.

Counsel for the petitioner further submits that now the petitioner intends to appear before the Court. The only prayer of the petitioner is that he may be protected against his arrest.

Notice of motion.

Mr. Surinder Singh, AAG., Haryana who is present in

The objective of the coercive mechanism of criminal procedure is only to ensure that the accused is made to remain present before the Court to face the trial. Even after defaulting in appearance, if the accused sincerely shows his intention to appear before the trial court to face the proceedings, he should be given a fair chance to appear before the court, instead of sending him to jail.

In view of the above but without commenting upon the merits of the case and subject to the appearance of the petitioner before the trial court, the present petition is allowed. It is directed that in case the petitioner appears before the trial court on or before 9.8.2018 then the petitioner shall be released on bail on furnishing bail bonds to the satisfaction of the trial court.

(RAJBIR SEHRAWAT)
JUDGE

July 31, 2018
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Whether speaking/reasoned	Yes
Whether Reportable	Yes