

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37923-2018

Date of decision: 21.09.2018

Bir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Mohd. Yousaf, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in case FIR No. 121 dated 02.07.2015 registered under Sections 379 and 120-B IPC at Police Station Sadar Ludhiana, District Ludhiana.

On instructions from petitioner-Bir Singh, learned counsel contends that the petitioner is ready to deposit the entire bail and surety bond amount before the trial Court which he had furnished at the time of granting of anticipatory bail to him in the year 2015.

In the year 2015, the petitioner was granted anticipatory bail in the aforesaid FIR, imposing certain conditions as envisaged under Section 438(2) Cr.P.C. However, in violation of the same, the petitioner left India in June, 2018 and absented on 16.07.2018. Therefore, his bail and surety bonds were cancelled and forfeited to the State.

Considering the submissions of learned counsel for the petitioner and the fact that custodial interrogation of the petitioner is not

required, the instant petition is disposed of with a direction to the petitioner to appear before the trial Court within a week from today and on doing so, he shall be released on bail, subject to depositing of complete payment of bail and surety bonds earlier furnished by him in the year 2015, before the trial Court and also on his furnishing fresh bail bonds and surety bonds to the satisfaction of trial Court, with an undertaking that he would appear on each and every date of hearing.

Till then arrest of the petitioner shall remain stayed.

It is, however, made clear that in case, the petitioner fails to comply with this order, this petition shall be deemed to have been dismissed.

September 21, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No