

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-4048 of 2018 (O&M)
Date of decision : 26.04.2018

Baljit Singh alias Gaggi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. V.G.Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

Petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.28 dated 25.03.2014, registered under Section 379 IPC at Police Station Sadar, Sangrur, District Sangrur.

The petitioner was earlier on bail and facing trial. However, the petitioner did not appear before the learned appellate court on 20.12.2017 and his bail bonds and surety bonds were cancelled and non-bailable warrants of arrest were issued against him. No notice was given either to the petitioner or his counsel.

To the mind of this Court, before cancellation of bail an opportunity of being heard should be given to the petitioner.

However, learned State counsel, on instructions, has stated that the petitioner has surrendered before the learned trial court and he was granted interim bail by that Court.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Ordered accordingly.

Resultantly, the interim order dated 02.02.2018, is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

26.04.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No