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

CRM-M-41836 of 2018

Date of decision: October 05, 2018

Kuldeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. S.P.S. Sidhu, Advocate the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mr. Naveedp Chhabra, DAG
Punjab accepts notice on behalf of the State.

This is the second petition for grant of anticipatory bail to
the petitioner in FIR No.10 dated 12.02.2016, under Sections 323, 325,
341, 506, 34 of Indian Penal Code, 1860, registered at Police Station
Khamanon, District Fatehgarh Sahib.

Learned counsel for the petitioner submits that the petitioner
was earlier granted the relief of anticipatory bail by this Court. He
further submits that, though, the petitioner had gone abroad, he could not
appear before the trial Court and now he has come back to India.
Learned counsel then submits that the petitioner is now willing to join
the trial and will not make any default in future. He, therefore, prayed for
allowing of the petition for grant of anticipatory bail to the petitioner.

On the other hand, learned State counsel opposed the
petition for grant of anticipatory bail and prayed for dismissal of the

petition.

It is not in dispute that the petitioner was granted the relief of anticipatory bail by this Court. However, the petitioner had gone abroad and remained absent before the trial Court. The petitioner approached the trial Court for grant of anticipatory bail. However, the trial Court dismissed the said application for the reason stated therein.

Whether or not the reason given by the petitioner is correct or not, and looking to the fact that the petitioner undertakes to appear before the trial Court and make no default in appearance, I think there is no point in pushing him behind bars when he was already granted the relief of anticipatory bail by this Court.

In that view of the matter, this petition is allowed. The petitioner shall appear before the trial Court and furnish fresh bail bonds to the satisfaction of the learned trial Court concerned, subject to his depositing costs in the sum of ₹10,000/- with the trial Court payable to the State of Punjab, as a pre-condition of this order, within a period of 4 weeks from today. The petitioner shall appear before the trial Court with promptitude and cooperate with the trial Court.

(A.B. CHAUDHARI)
JUDGE

October 05, 2018

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No