

104.

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

CRM-M-48206-2018

Date of decision:31.10.2018.

GURPREET SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Arshdeep Singh Brar, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.55 dated 15.08.2014 registered under Sections 364/120-B IPC at Police Station Phul, District Bathinda.

Vide judgment dated 23.03.2016, learned Sessions Judge, Bathinda has held the co-accused Gurjit Kaur and Inderpal guilty for the offences under Section 364 read with Section 120-B IPC and as the petitioner remained absconded during the trial, and directed that on arrest of the petitioner, a supplementary challan would be put up in the court and he shall be tried separately on the basis of FIR.

After arguing for sometime, learned counsel for the petitioner submits that though the occurrence had taken place on 25.05.2014, the petitioner had left for U.A.E. on 15.07.2014 and it is after his being abroad, the FIR was registered on 15.08.2014. There is no intention on the part of the petitioner to avoid trial in any manner. However, the petitioner is ready

Notice of motion.

At the asking of the Court, Mr. Surinder Pal Singh Tinna, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Let a copy of paper book be given to learned State counsel during the course of the day.

Vide judgment dated dated 23.03.2016 passed by learned Sessions Judge, Bathinda, the co-accused are held guilty for offence under Section 364 read with Section 120-B IPC and sentenced to undergo rigorous imprisonment for a period of five years and to pay a fine of Rs.5,000/- each.

Having heard learned counsel for the petitioner and noticing the the submissions made by learned counsel for the petitioner that the petitioner is ready to surrender before the trial Court and to face trial in accordance with law, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within one month from today, he shall be admitted on bail subject to his furnishing adequate bail bonds and heavy surety to the satisfaction of the trial Court. However, that would be subject to payment of costs of Rs.25,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh. Petitioner shall also submit an affidavit that he will not hamper/delay the trial in any manner and shall produce a receipt of such cost deposited before the trial Court.

(HARI PAL VERMA)
JUDGE

31.10.2018

sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.

Yes/No.