

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

**CRM-M No.52744 of 2018
Decided on: 10.12.2018**

Joshwa @ Daku

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.101 dated 08.07.2017, registered under Sections 302 read with Section 34 of the Indian Penal Code (in short 'IPC') and 25 of the Arms Act at Police Station Division C, District Police Commissionerate Amritsar.

Counsel for the petitioner has submitted that the petitioner was earlier granted regular bail under Section 167(2) Cr.P.C. and thereafter, he could not appear before the Illaqa Magistrate and on 01.09.2018, his bail/surety bonds were cancelled and forfeited to the State. It is further submitted that the petitioner could not appear before the trial Court on account of noting a wrong date and he is ready to surrender before the trial Court and apply for fresh bail.

Counsel for the petitioner has further argued that the petitioner is not involved in any other case and non-appearance of the

petitioner before the Illaqa Magistrate was not intentional and challan is yet to be presented and he is still ready to appear before the trial Court and face the proceedings in accordance with law.

Counsel for the State, on instructions from ASI Nirmal Singh, has further submitted that except the petitioner, no other accused person was arrested and the investigation is still going on.

Without commenting anything on merits of the case, considering the fact that the petitioner was granted regular bail earlier under Section 167(2) Cr.P.C., and he is still ready to surrender before the trial Court and apply for fresh bail and is also ready to join the investigation, this petition is allowed and the petitioner is directed to appear before the trial Court/Illaqa Magistrate within a period of 15 days from today and he shall be released on bail on furnishing bail bonds and 02 surety bonds and on payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority, Amritsar, subject to the following conditions:-

- 1. *He shall make himself available for interrogation by a police officer as and when required;*
- 2. *He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. *He shall not leave India without previous permission of the Court.*

Disposed of accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

10.12.2018

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No