

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-53438 of 2018

Date of Decision: 04.12.2018

Major Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Amit Kumar Saini, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner in complaint case No. 19/1 dated 06.08.2012 lodged under Sections 306, 506 & 34 IPC.

Learned counsel for the petitioner contended that petitioner was earlier admitted to bail and his bail was cancelled on account of his non-appearance before the Court of Learned Additional Sessions Judge, Ludhiana on 24.08.2018. On that day, circumstances before the petitioner were beyond his control as he was suffering from some critical neurological problem and he is 71 years of age. For that purpose, petitioner had also moved an application for seeking exemption of his personal appearance on medical grounds, but the same was rejected.

Notice of motion.

On asking of the Court, Mr. Ajay Pal Singh Gill, Deputy

Advocate General, Punjab accepts notice on behalf of respondent. A copy of paper-book be provided to him during the course of the day.

Taking into consideration all these facts and a copy of medical certificate dated 14.08.2018 (Annexure P2) having been placed on file indicating critical neurological problem to the petitioner, he is ordered to be admitted on fresh bail on his furnishing fresh bail bonds and surety bonds to the satisfaction of the learned trial Judge. However, the learned trial Judge shall be at liberty to complete the proceedings under Section 446 Cr.P.C.

(Shekher Dhawan)
Judge

December 04, 2018
“DK”

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