

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53625-2018 (O&M)

Date of decision:04.12.2018.

Karamjit Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ravi K. Mattoo, Advocate
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 438 of Code of Criminal Procedure (for short 'Cr.P.C) for grant of anticipatory bail in FIR No.0139, dated 28.04.2016, under Section 379 of IPC, registered at Police Station Pinjore, District Panchkula,

Learned counsel for the petitioner contends that in this very case, earlier the petitioner was released on bail by the trial Court. The petitioner had been regularly appearing before the trial Court to face the trial. Thereafter, the petitioner got married. The wife of the petitioner got high risk pregnancy, therefore, he could not appear before the trial Court on some dates. As a result, the bail of the petitioner has been cancelled and warrants of arrest have already been issued. It is further contended by the counsel that the petitioner has no intention to flee from the course of justice. The petitioner is ready to appear before the trial Court to face further proceedings. The only prayer made is that the petitioner be protected from his arrest.

Notice of motion.

Mr. Vikas Malik, DAG, Haryana has put in appearance on behalf of the State and submits that he has no objection, if the petitioner appears before the trial Court to face the further proceedings.

Heard.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 14.12.2018. It is further directed that in case, the petitioner so appear before the trial Court then the petitioner shall be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court.

(RAJBIR SEHRAWAT)
JUDGE

04.12.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No