

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-5589-2018(O&M)
Date of Decision: 22.03.2018

Kamaljeet Singh @ Kamal

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Radhika, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case FIR No.12 dated 28.1.2016 under sections 307, 323, 324, 452, 148, 149 I.P.C and section 25 of Arms Act, registered at Police Station, Division No.3, Jalandhar.

On 12.2.2018, while issuing notice of motion, the following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C seeking the concession of pre-arrest bail to the petitioner in case FIR No.12 dated 28.1.2016 under sections 307, 323, 324, 452, 148, 149 I.P.C and section 25 of Arms Act, registered at Police Station, Division No.3, Jalandhar.

Counsel submits that after registration of the FIR petitioner was arrested and subsequently released on bail. However, petitioner absented on 24.5.2017 and on account of which the concession of bail has been canceled and bail bonds stand forfeited.

It is argued that petitioner was in custody in another case i.e. FIR No.147 dated 27.10.2012 registered at

Police Station Division No.2, Jalandhar and which explains his non-appearance on 24.5.2017 before the Trial Court in the present matter.

It is argued that the intent of the petitioner was not to evade the trial proceedings and the absence was on account of bonafide reasons.

Notice of motion, returnable for 22.3.2018.

In the meanwhile, it is directed that in case the petitioner puts in appearance before the Trial Court on the date already fixed i.e. 15.2.2018, he would be entitled to interim bail subject to satisfaction of the Trial Court.”

Apparently, petitioner having not appeared before the Trial Court on or before 15.2.2018 the application i.e. CRM-7888-2018 was filed in this Court seeking extension in time to facilitate the petitioner to appear before the Trial Court. Such application came up for hearing on 14.3.2018 and while issuing notice for today directions were issued for the petitioner to put in appearance before the Trial Court on 15.3.2018.

Learned State counsel upon instructions from ASI Vijay Kumar apprises the Court that the petitioner appeared before the Trial Court on 15.3.2018 and was admitted to interim bail subject to its satisfaction.

Petitioner having joined the trial proceedings, prayer made in the instant petition is accepted. The order dated 12.2.2018, passed by this Court, is made absolute.

All pending application(s), if any, would also stand disposed of.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.03.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No