

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

CRR-3725-2018 (O&M)

Date of Decision:- 12.11.2018

Jagdeep Singh @ Bittu

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harchand Singh Batth, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Ms. Parmeet Kaur, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this revision petition, the petitioner assails order dated 30.10.2018 passed by the Court of learned Sessions Judge, Ludhiana whereby the bail granted to the petitioner has been ordered to be cancelled and he has been directed to surrender before the trial court on or before 14.11.2018.

A few facts necessary to notice for disposal of the petition are that the petitioner has been facing a trial in respect of FIR No. 34, dated 16.3.2014, under Section 323, 324, 34 IPC, Police Station Dehlon, District Ludhiana City wherein he had been granted bail by the Court of Sessions, Ludhiana vide order dated 15.11.2016 (Annexure P-3). The petitioner had been regularly appearing before the trial Court and had not absented on any of the dates.

However, the petitioner went abroad on two occasions without seeking permission from the Court. The said fact was brought to the notice of the Court by the complainant, by way of moving an application under Section 439 (2) Cr.P.C. for cancellation of the bail. The petitioner in his reply admitted the fact that he had visited Dubai in November, 2017 and had also visited Canada. Taking note of the said fact, the Court of Sessions, Ludhiana cancelled the bail granted to the petitioner and directed him to surrender before the trial Court on 14.11.2018.

Having heard the learned counsel for the petitioner, I do not find any infirmity in order dated 30.10.2018 as it goes without saying that the petitioner was expected to have taken permission from the trial Court before going abroad and the petitioner not having done so, had violated the conditions of the bail and consequently his bail was liable to be cancelled. The petition, as such, is dismissed.

However, keeping in view the fact that the petitioner had not remained absent on any of the dates, it is directed that in case the petitioner surrenders before the trial Court within two weeks from today and moves an application for grant of regular bail, the trial Court shall dispose of the same expeditiously, preferably within a period of one week from filing of such application while taking note of the fact that the petitioner had not absented on any of the dates actually fixed.

November 12, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No