

Sr. No.205

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

**CRM-M-48-2019(O&M)
Date of decision:08.01.2019**

Princepal Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Amandeep Singh Saini, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking anticipatory bail in FIR No.166, dated 07.11.2017 for the offences punishable under Sections 323/341/506/501 of IPC registered at Police Station Morinda, District RupNagar.

Learned counsel for the petitioner contends that in this very case, the petitioner was granted bail pending trial by the Trial Court. Therefore, the petitioner had been appearing before the Trial Court regularly. However, due to unavoidable circumstances, the petitioner could not appear before the Trial Court on 21.08.2018. As a result, the bail bonds of the petitioner have been cancelled and warrants of arrest have been issued. It is contended by the counsel for the petitioner that the petitioner has no intention to flee from the course of justice. He intends to appear before the Trial Court. The only prayer is that the petitioner be protected against his arrest.

Notice of motion.

On the asking of the Court, Shri K.S.Aulakh,DAG, Punjab accepts notice on behalf of the State of Punjab and submits that he has no objection if the petitioner appears before the Trial Court

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 10.01.2019. It is further directed that in case, the petitioner so appears before the trial Court then the petitioner shall be released on bail on his furnishing bail bond/surety to the satisfaction of the Trial Court.

8th January, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*