

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1161-2019 (O&M)

Date of Decision:-14.1.2019

Lovedeep Singh @ Sunny Doda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwaljeet Singh, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The petitioner had initially been granted anticipatory bail by the trial Court vide order dated 30.8.2017. The operative portion of the said order reads as follows:-

“Lovedeep Singh @ Sunny Doda is admitted to interim bail, till receipt of report of chemical examiner, subject to his furnishing bail bonds in a sum of Rs.50,000/- with one surety in the like amount.”

Thereafter, upon receipt of the chemical examiner's report, the Investigating Officer was to file challan. However, it appears that despite despite repeated efforts made by the Investigating Officer, the petitioner could not be contacted. Consequently, when the said facts were brought to the notice of the trial Court, his bail bonds/surety bonds were cancelled. The order dated 28.11.2018 passed by learned Additional Sessions Judge, Ludhiana reads as follows:-

“One application has been filed on behalf of accused through counsel. Heard and considered. Application do not bear the

signature of the counsel or any other person on behalf of applicant. More over IO of this case has come present in order to file the challan and stated that they repeatedly tried to contact the accused for the purpose of presentation of challan but accused is absconding. Hence, in these circumstances no ground is made out to exempt the personal appearance of the applicant, rather applicant is avoiding appearance without any reasonable ground. As such, bail bonds and surety bonds including bail order of accused Lovedeep Singh are cancelled and forfeited to the State. Accordingly, non bailable warrant of arrest of accused Lovedeep Singh be issued for 19.12.2018. Notice to his surety be also issued for the date fixed.”

Having heard the learned counsel for the petitioner, this Court does not find any ground for grant of anticipatory bail to the petitioner. However, in case the petitioner chooses to surrender before the trial Court within a period of 15 days and applies for grant of regular bail, the trial Court shall endeavour to dispose of the same expeditiously preferably within a period of one week thereafter.

The present petition stands disposed of.

14.1.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No