

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

CRM-M-5235 of 2019

Date of Decision: 06.2.2019

Nirmal Singh @ Lali

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Baljit Singh Aliana, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

Prayer in this petition is for grant of anticipatory bail in the case titled as State Vs. Dharinder Kumar pending before the court of learned Addl. Sessions Judge, Bathinda in FIR No.89 dated 20.9.2016 under Sections 399,402,379,411,148,149 IPC and Section 25 & 27 of the Arms Act, P.S Phool, District Bathinda.

The petitioner was on bail in the FIR. He appeared before the learned Addl. Sessions Judge on 23.5.2018. Thereafter, the case was adjourned to 27.7.2018 on which date, the petitioner did not appear. For the failure of the petitioner to appear, his bail bonds and surety bonds were cancelled and non-bailable warrants were issued against the petitioner while adjourning the case for 14.8.2018. On 14.8.2018 also, the petitioner did not put in appearance and while posting the matter for 06.09.2018, the petitioner was directed to be summoned through non-bailable warrants. On 06.09.2018 also, the petitioner had not caused his appearance and the case was listed for hearing on 03.10.2018.

Learned counsel for the petitioner contends that the petitioner had wrongly noticed the next date of hearing to be 27.08.2018 instead of 27.07.2018 and it was only on that count that the petitioner could not appear on two consecutive dates i.e 27.7.2018 and 14.8.2018. Even the petitioner did not appear before the court on 06.09.2018 as he was preparing for filing the present petition.

Notice of motion.

Ms. Sunint Kaur, Assistant Advocate General, Punjab accepts notice on behalf of respondent-State.

Considering the aforesaid submissions of learned counsel for the petitioner, present petition is allowed with a direction that the petitioner shall present himself before the Trial Court within a week and on his doing so, the Trial Court shall admit him to bail, subject to his furnishing bail bonds and surety bonds to its satisfaction.

February 06, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No