

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

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**C.R.M-M No.20906 of 2019 (O&M)
Date of Decision : 09.05.2019**

Darshan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. G.S.Verma, Advocate
for the petitioner.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. For grant of anticipatory bail in case FIR No.15 dated 25.02.2015 registered under Section 379 IPC (later on added offence u/s 21 of Mining & Minerals (Development and Regulation) Act, 1957, registered at Police Station Koom Kalan, District Ludhiana.

Counsel for the petitioner has argued that the bail bonds of the petitioner were cancelled because he inadvertently could not appear on one date but he has never misused the concession of bail in the past and in this view of the matter the observations of the trial Court are a little uncharitable. He further states that the petitioner undertakes that he would appear on every date.

Notice of motion.

On the asking of the Court, Ms.Amarjit Kaur Khurana, DAG, Punjab accepts notice on behalf of the respondent-State and copy of the paper book has been supplied to her in the Court itself.

In my opinion, in case the averment that the petitioner has never previously misused the concession of bail is correct then this one lapse can be condoned. In the circumstances, the petitioner is directed to appear before the trial Court on the date fixed (which is stated to be 05.07.2019) and in case the statement that he has never misused the concession of bail previously is correct the Court would release him on bail to its satisfaction.

In this view of the matter, I do not deem it appropriate to deny the prayer of the petitioner.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

09.05.2019
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No