

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

**CRM-M No. 45763 of 2018
Date of Decision:-25.01.2019**

Gursewak Singh @ Sewak

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Vivek Goel, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 129 dated 25.8.2016, under Sections 307, 323, 427, 34 IPC (Section 325 IPC added later on) and Sections 25 & 27 of the Arms Act, registered at Police Station City Kotkapura, District Faridkot.

On 16.10.2018, this Court had passed the following order :-

“Learned counsel for the petitioner submits that due to braking down of the vehicle of petitioner, he could not appear in Court on 26.09.2018 in time and his non-bailable warrants were issued. He explained the circumstances to the Court below but his explanation was not accepted.

Notice of motion for 25.01.2019.

Petitioner is directed to surrender before the trial Court/Duty Magistrate, within a week and on his appearance, he shall be released on interim bail, till the next date, on his furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.”

Learned counsel for the petitioner contends that in pursuance of the order dated 16.10.2018, the petitioner has surrendered before the trial Court on 30.10.2018 and furnished bail bonds/surety bonds. In support of his stand, he has placed on record copy of order dated 30.10.2018 passed by the Additional Sessions Judge, Faridkot. Same is taken on record.

The aforementioned fact of the petitioner surrendering before the trial Court and furnishing of bail bonds/surety bonds is not disputed by learned State counsel.

In view of the above, the petitioner is allowed to remain on bail, granted by trial Court, vide order dated 30.10.2018.

The petition is disposed off.

January 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No