

CRM-M-28886-2019

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

CRM-M-28886-2019

Date of Decision: 15.07.2019

Sarabjot Singh @ Jota

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Himanshu Puri, Advocate,
for the petitioner.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this third petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in a case FIR No.16 dated 11.03.2016, registered at Police Station Bholath, District Kapurthala, under Sections 379-B, 120-B and 34 of the Indian Penal Code.

Notice of motion.

On the asking of this Court, Mr. Prabhjot Singh Walia, AAG, Punjab, accepts notice on behalf of the respondent-State and contests this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Perusal of record shows that earlier, the petitioner, who was on regular bail, had filed application seeking exemption from personal appearance. However, he absented himself from the court proceedings on

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09.04.2019, following which his bail was cancelled and warrants of arrest were issued against him. The next date before the trial Court is stated to be 26.07.2019.

Learned counsel for the petitioner submits that absence of the petitioner from the trial court was not intentional.

The trial of case may take a long time. No useful purpose will be served by sending the petitioner to custody and then to keep him in custody till the final disposal of the case. Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to surrender before the trial Court on or before 26.07.2019 and also to deposit ₹20,000/- as costs with the District Legal Services Authority, Kapurthala. On his doing so, he shall be released on bail by the trial Court to its satisfaction. If he fails to comply with the aforesaid directions, then this petition shall be treated as dismissed.

15.07.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No