

Sr. No.110

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

CRM-M-30493-2019

Date of decision:19.07.2019

Amandeep Singh

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. C.S.Rana, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking anticipatory bail in FIR No.399 dated 09.05.2018 for the offences punishable under Sections 379-A/34 of IPC(Act No.45 of year 1860) registered at Police Station Sirsa City, District Sirsa.

Learned counsel for the petitioner contends that in this very case the petitioner was earlier granted bail pending trial. However, on 25.09.2018, the petitioner could not appear before the Trial Court. Hence, the bail granted to the petitioner has been cancelled by the Trial Court and non-bailable warrants have been issued. It is further submitted that the non-appearance of the petitioner before the Trial Court was not intentional. Rather for that date the petitioner had moved an application for exemption from appearance, because he was required to appear before the other Court; in connection with other case. Unfortunately, thereafter, the petitioner was arrested in still another case, registered on 18.11.2018. Therefore, the petitioner could not appear in the present case even subsequently. However, now the petitioner has been granted bail in those other cases. Therefore, the

petitioner intends to appear before the Trial Court in the present case. The petitioner does not have any intention to flee from the course of justice. The only prayer that the petitioner be protected against his arrest.

Notice of motion.

On the asking of the Court, Shri M.K.Sangwan, DAG, Haryana accepts notice on behalf of the State and submits that he has no objection if the petitioner appears before the Trial Court

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

In view of the above, the present petition is allowed subject to the petitioner appearing before the trial Court on or before 30.07.2019. It is further directed that in case, the petitioner so appears before the trial Court then the petitioner shall be released on bail on his furnishing bail bond/surety to the satisfaction of the Trial Court.

19th July, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*