

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

**CRM-M-33103 of 2019 (O&M)
Date of Order:14.08.2019.**

Mahinder Lal alias Mangu

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

ANIL KSHETARPAL, J(Oral)

Although, petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail is not maintainable once the petitioner had been arrested and granted concession of bail, however, in the interest of justice, this petition is treated as one filed under Section 482 of the Code of Criminal Procedure.

It has been pleaded in the petition that the petitioner was granted concession of interim bail by the trial Court vide order dated 07.08.2018 and thereafter petitioner had been regularly appearing before the trial Court except on 16.02.2019 when the petitioner could not remain present in court due to illness. Petitioner has undertaken to appear before the trial Court. The undertaking given is in paragraph 7 of the petition, which is extracted as under:-

“That the petitioner is ready and willing to give undertaking for appearing on each and every date in future, if this Hon'ble Court grants him concession to join the trial.”

Since, the petitioner had jumped bail, therefore, efforts are being made to secure his presence to face trial.

The petitioner as noticed above has given undertaking in paragraph 7 of the petition, which is supported by an affidavit, hence, the present petition is disposed of with direction to the petitioner to cause appearance before the trial court within 10 days from today and furnish fresh bail bonds with surety of like amount subject to the satisfaction of the learned trial Court. If, the petitioner complies with the undertaking given, he shall be released on interim bail on furnishing fresh bail bonds with one surety of like amount subject to the satisfaction of the learned trial Court.

August 14, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No