

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37632-2019(O&M)

Date of Order: 06.09.2019

Narinder Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harshit Jain, Advocate, for the petitioner.

ANIL KSHETARPAL, J(Oral)

Petitioner prays for grant of pre-arrest bail in FIR No.0165, dated 01.12.2015, registered under Section 323/326/307/427/34 IPC and Sections 25/27/54 of the Arms Act, 1959, at Police Station City Dhuri, District Sangrur.

Although, petition under Section 438 of the Code of Criminal Procedure is not maintainable, however, on the oral prayer made by learned counsel for the petitioner, this petition is treated as one file under Section 482 Cr.P.C.

Petitioner is an accused in the aforesaid criminal case which is pending trial before the Court of learned Additional Sessions Judge, Sangrur. Petitioner was granted bail, however, he absented on 19.04.2019, which resulted in cancellation of bail bonds and nonailable warrants of arrest were issued.

Learned counsel for the petitioner submits that the petitioner was suffering from "Diarrhoea" and because of this reason he could not be appeared before the Court on the date fixed. Counsel submits that if opportunity is given to the petitioner, he is ready to surrender before the

learned Additional Sessions Judge and furnish fresh bail bonds with surety of like amount.

Notice of motion.

On asking of Court, Mr. Bhupender Beniwal, AAG, Punjab, accepts notice on behalf of the State. A copy of the petition be handed over to Mr. Bhupender Beniwal, AAG, Punjab, during the course of the day.

This court is of the view that this petition can conveniently be disposed of on the very first date of hearing.

Keeping in view the fact that the petitioner is ready to appear before the learned Additional Sessions Judge and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned trial Court, the present petition is disposed of with a direction to the petitioner to appear before the learned Additional Sessions Judge within 10 days and furnish fresh bail bonds with surety of like amount to the satisfaction of the learned trial Court. He would be required to file an affidavit that he continue appearing before the learned trial Court unless exemption from appearance is granted by the Court in advance. The order passed by this Court is subject to the condition as noticed above.

September 06, 2019
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(ANIL KSHETARPAL)
JUDGE

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