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

CRM-M-39396 of 2019

Date of decision: November 27, 2019

Balwinder Singh @ Lucky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Chandan Singh Rana, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for setting aside order dated 29.05.2019 (P-5) passed by the learned Additional Sessions Judge, Ludhiana, whereby petitioner's bail was cancelled and his bail bonds/surety bonds were directed to be forfeited and summoned through non-bailable warrants for 30.08.2019, in case FIR No.17 dated 18.02.2016, under Sections 379-B of the Indian Penal Code, 1860 (for short 'IPC') (Section 411 of IPC added later on), registered at Police Station Haibowal, District Police Commissionerate, Ludhiana.

On 16.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that, although, petitioner was granted concession of bail by the learned Additional Sessions Judge, Ludhiana, but he could not arrange bail/surety bonds.

Notice of motion returnable on 27.11.2019.

In the meantime, petitioner is directed to join proceedings before learned trial Court and be released on

interim bail, till the next date of hearing, subject to its satisfaction.”

Learned counsel for the petitioner has produced a copy of order dated 20.09.2019 passed by the learned Additional Sessions Judge, Ludhiana and the same is taken on record. Perusal of the same reveals that, in terms of order dated 16.09.2019 passed by this Court, the petitioner has joined proceedings before the learned trial Court and furnished bail bonds/surety bonds.

The above factual position is duly acknowledged by the learned State counsel, on instructions from HC Gurjinder Singh.

In view of the above, order dated 29.05.2019 passed by learned Additional Sessions Judge, Ludhiana is set aside and order dated 16.09.2019 of this Court granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

November 27, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No