

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

**CRM-M-44622-2019
Date of decision-19.10.2019**

Ravi

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. D.S.Sandhu, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Ravi has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.228 dated 26.11.2018 registered under Sections 379-B and 411 read with Section 34 of Indian Penal Code, 1860 at Police Station Daresi, Ludhiana.

Learned counsel for the petitioner contends that petitioner was granted regular bail in the above said FIR vide order dated 24.06.2019. On 05.07.2019, when the petitioner absented, learned Additional Sessions Judge proceeded to cancel his bail and forfeited the bail bonds. It is submitted that the petitioner was under impression that he was not required to appear before the Court after grant of regular bail and caused absence on the given date. He undertakes that the petitioner is willing to join the trial proceedings and would continue to appear before the trial Court on each and every date of hearing.

When learned counsel was confronted with the maintainability of the petition, he makes a prayer to treat the petition under Section 482

Cr.P.C. The prayer is accepted.

Notice of motion.

At the asking of the Court, Mr. Kirat Singh Sidhu, DAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Though the explanation for absence of the petitioner as offered by learned counsel for the petitioner may not be acceptable in view of the fact that at the time of grant of regular bail, the accused furnished the bail bonds thereby giving the undertaking to appear in person on each and every date of hearing. However, considering the undertaking given before this Court, the petitioner is allowed to join the trial proceedings which are now fixed for 11.11.2019.

In view of the above, the impugned order dated 05.07.2019 (Annexure P-2) and subsequent issuance of warrants (if any) are set aside and the petitioner is allowed to remain on the same bail bonds and surety bonds.

Disposed off.

(MANOJ BAJAJ)
JUDGE

19.10.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No