

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

CRM-M No.50483 of 2019 (O&M)
DATE OF DECISION : 28th NOVEMBER, 2019

Ramandeep Singh alias Ramma

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.30 dated 12.06.2015 registered under Sections 364, 382, 342, 323, 148 & 149 IPC at Police Station Phul, District Bathinda.

It is contended by counsel for the petitioner that the petitioner was granted bail in this case by the trial court. Thereafter, the petitioner had been appearing regularly to face the proceedings before the trial court. However, on two dates, i.e., 21.10.2019 and 13.11.2019 the petitioner could not appear before the trial court. Hence, the bail granted to him has been cancelled and warrants of arrest have been issued against him. It is further submitted by counsel for the petitioner that absence of the petitioner from the trial court was not intentional. The same has occurred on account of misunderstanding of the petitioner. The petitioner does not intend to flee from the course of justice. He intends to appear before the trial Court to face further proceedings, in accordance

with law. The only prayer is that the petitioner be protected against his arrest.

Notice of motion.

Mr. Harbir Sandhu, AAG, Punjab, accepts notice on behalf of the State. He submits that the State has no objection to the protection being given to the petitioners, subject to the condition that the petitioners will appear before the trial court.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remain 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 04.12.2019. It is further directed that in case the petitioner so appears before the trial Court on or before 04.12.2019 then he shall be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

28th NOVEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No