

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.53793 of 2019

Date of Decision: December 17, 2019

Ram Singh

...Petitioner

Versus

Balwinder Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Prince Sharma, Advocate,
for the petitioner.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed the present petition for grant of pre-arrest bail under Section 438 Cr.P.C. in a complaint case No. 41/2015, under Sections 452, 427, 326, 325, 506, 148 and 149 IPC, Police Station Khalra, District Tarn Taran titled as “Balwinder Singh Versus Jinder Singh & others”.

Learned counsel for the petitioner contends that the concession of bail was extended by the Sessions Judge, Tarn Taran vide order dated 28.08.2019 with a direction to the petitioner to furnish bail bonds within five days.

It is pointed out that subsequently a report of the trial Court was received that the petitioner failed to comply with the order dated 28.08.2019 and, therefore, interim order dated 28.08.2019 passed by the Sessions Court was vacated and the application was dismissed.

Learned counsel for the petitioner contends that the order dated 28.08.2019 qua other accused, who complied with the same, was made absolute. He further points out that as a result of communication gap, petitioner could not comply with the order dated 28.08.2019. He further states that the petitioner would appear before the trial Court on or before 20.12.2019 and would furnish the requisite bail bonds and surety bonds.

Considering the above, this Court does not find it appropriate to issue notice to the respondent-complainant at this stage as it may cause extra burden upon him. However, it shall be open for him to seek recalling this order in case the petitioner is guilty of misleading this Court or concealing the material facts.

In view of the above, the present petition is disposed off with a direction to the petitioner to surrender himself before the trial Court and upon his appearance, the trial Court shall admit him on regular bail.

Petition stands disposed off.

December 17, 2019
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No