

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-55363-2019

Date of Decision: 23.12.2019

Hani @ Honey Sahota @ Chela

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

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

Ms. Anju Arora, Addl. AG Punjab

GIRISH AGNIHOTRI, J. (Oral)

The present petition by the petitioner, namely, Hani @ Honey Sahota @ Chela has been filed *inter alia* praying for grant of anticipatory bail to the petitioner in case FIR No.260 dated 20.11.2017 u/s 307/34/120-B IPC and u/s 25 & 27 of the Arms Act registered at Police Station Division No.4, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner has submitted that in the FIR, the petitioner was not named. He was, however, arrested on 24.11.2017 because co-accused Lakhwinder Singh had named the petitioner to have supplied the unlicensed pistol. Thereafter the petitioner applied for regular bail which was granted to him on 01.02.2018. It is the case of the petitioner that since 01.02.2018, on all subsequent dates, i.e. on 24.04.2018, 23.05.2018, 05.06.2018, 19.06.2018, 03.07.2018, 16.07.2018, 01.08.2018, 17.08.2018, 05.09.2018, 10.10.2018 continuously, the petitioner had been appearing. However, it is submitted that the next date before the trial Court was fixed as 03.11.2018 which was, however, somehow missed by the petitioner as by mistake the petitioner had noted 13.01.2019 instead of 03.11.2018 as the next date of hearing.

Learned counsel for the petitioner further submits that the petitioner remained under the wrong impression all through that his counsel has filed the bail application and it is only after the decision on the bail application that he will have to appear or surrender. In these peculiar facts and circumstances of the case, the petitioner has prayed that it was only on account of inadvertent mistake that he could not appear.

Notice of motion.

On the asking, Ms. Anju Arora, Addl. AG Punjab accepts notice. Copy supplied.

Having heard learned counsel for the parties, this Court deems it appropriate to direct that the petitioner would appear before the trial court on 15.01.2020. Till then, he is granted interim bail.

It is however, made clear that on the said date the petitioner will appear before the trial court and further he will have to abide by further direction of the trial court.

The petition stands disposed of accordingly.

23.12.2019

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No