

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

206

CRM-M-434-2020

Date of Decision : 26.02.2020

Bhag Mal @ Babbu @ Dani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. A.S. Khosa, Advocate
the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (ORAL)

The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.173 dated 31.12.2012 registered under Section 379 of the Indian Penal Code, 1860 at Police Station City Hoshiarpur, District Hoshiarpur.

The petitioner was convicted and sentenced by learned Chief Judicial Magistrate, Hoshiarpur under Section 411 of the Indian Penal Code, 1860 vide judgment of conviction and order of sentence both dated 21.04.2017. The petitioner filed criminal appeal and was granted bail during pendency of the appeal. The petitioner filed application for exemption from personal appearance on 18.12.2019 on the ground of his illness which was dismissed by learned Sessions Judge, Hoshiarpur and his bail order was cancelled and non-bailable warrant of arrest was ordered to be issued against him.

Vide order dated 10.01.2020 passed by this Court, the petitioner was directed to surrender before the trial Court within 7 days from receipt of certified copy of the order and on such surrender, trial Court was directed to release the petitioner on interim bail till further order to the contrary on furnishing of bail bonds by the petitioner to the satisfaction of the trial Court.

Learned Counsel for the petitioner has submitted that the petitioner could not surrender within the time so permitted and seeks extension of time for such surrender.

No reasonable ground for extension of time for such surrender is made out. In view of default on the part of the petitioner to surrender in compliance with order dated 10.01.2020 and previous conduct of the petitioner during trial and likelihood of absconding during trial, the present petition for grant of anticipatory bail is dismissed.

26.02.2020

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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No