

**CRM-M-4523-2020 (O&M)**

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

**CRM-M-4523-2020 (O&M)**

**Date of Decision: February 07, 2020**

Jaswinder Singh alias Sonu

..... Petitioner

**VERSUS**

State of Punjab

.... Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present      Mr. K.S. Brar, Advocate  
                    for the petitioner.

Mr. Davinder Bir Singh, D.A.G., Punjab

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**JAISHREE THAKUR, J.(Oral)**

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail pending trial in FIR No.86 dated 18.08.2015 under Section 306 of the Indian Penal Code, registered at Police Station Fattu Dyinga, District Kapurthala., wherein the bail bond of the petitioner stands cancelled vide order dated 16.01.2020 by the trial Court.

Learned counsel appearing on behalf of the petitioner would contend that he had been in custody for over a period of one and a half year in the aforesaid FIR and had been released on regular bail by an order dated 30.05.2017 and was regularly appearing before the Courts below, however, on account of the fact that he being unwell could not put in appearance before the Addl. Sessions Judge, Kapurthala on 16.01.2020, his bail bonds were cancelled and surety bond forfeited. It is contended that he never had the intention of jumping the bail but it was only on account of ill-health that

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he was not able to be present in the trial Court on that day.

Learned counsel appearing on behalf of the respondent-State does not dispute the fact that the regular bail had been allowed to the petitioner by the High Court in May, 2017 and that he had been regularly putting in appearance before the trial Court.

I have heard learned counsel for the petitioner and in view of the fact that the trial would only conclude after the petitioner joins the proceedings, the instant petition is allowed and the petitioner is ordered to be released on bail in the event of his surrender before the trial Court on or before the date fixed before it, subject to his furnishing fresh bail and surety bonds to the satisfaction of the trial Court.

**February 07, 2020**

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**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.