

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

CRM-M No.13124 of 2020
Date of decision: 28th May, 2020

Kashish @ Kashish Lamba

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kanav Bansal, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana puts in appearance on behalf of the State on his own.

Petitioner Kashish alias Kashish Lamba, who is facing trial in case bearing FIR No.175 dated 15.05.2019 under Section 506 IPC and Section 25/54/89 of the Arms Act pertaining to Police Station Kherki Daula, District Gurugram, failed to appear before the trial Court on 05.08.2019 as a consequence of which his bail orders were cancelled, bail bonds and surety bonds were ordered to be forfeited to the State. Aggrieved over the same, he has come up in this first anticipatory bail application under Section 438 Cr.P.C.

Upon hearing learned counsel for the petitioner Mr. Kanav Bansal, Advocate; learned State counsel Mr. Baljinder S. Virk, Dy.

Advocate General, Haryana and on perusal of the records. As is the stand of the petitioner and well supported from the documents placed on the record, the petitioner is a student in an institute at Kerala and had gone there and because of the circumstances beyond his control he could not come to the State and appear before the Court. Being a single default, sending him behind bars would be a travesty of justice. Accordingly, the petitioner is directed to appear before the trial Court within a period of two months from the date of receipt of certified copy of this order and on his doing so he shall be released on bail to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 28, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No