

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17969-2020 (O&M)

Date of Decision: 08.07.2020

Gurpreet Singh @ Sodhi

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Ishan Kaushal, Advocate for the petitioner

Mr. Dhruv Dyal, Sr.DAG, Punjab

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gurpreet Singh @ Sodhi has filed the present petition *inter alia* with a prayer to grant him anticipatory bail in case FIR No.168, dated 07.07.2018, under Section 379-B(2) and 411 of IPC, registered at Police Station Sadar, Ludhiana, District Ludhiana.

Learned counsel based upon pleadings submits that the petitioner was on regular bail since 05.09.2018. As per his counsel, the petitioner was regularly appearing in the above case but only on one occasion i.e. on 04.03.2020, the petitioner could not present himself before the learned trial court. In the petition, it has been pleaded that the reason for the absence was that petitioner's brother, namely, Inderjit Singh was suffering from fever and he took his brother to hospital and due to this reason, he could not inform the counsel and in such circumstances, learned trial Court issued non-bailable warrants vide order dated 04.03.2020 against the petitioner. Learned counsel then submits that *qua* the brother of

petitioner/co-accused, namely, Inderjit Singh filed CRM-M-15048-2020 this Court had granted bail to him vide order dated 15.06.2020 (P4).

He further submits that the absence of the petitioner on 04.03.2020, was neither intentional nor willful rather it was due to acute ill health and fever of his brother Inderjit Singh. Learned counsel for the petitioner submits that the petitioner undertakes that he will not repeat the mistake and shall continue appearing before the trial court.

Notice of motion.

On the asking of the Court, Mr. Dhruv Dyal, Sr.DAG, Punjab accepts notice on behalf of respondent-State.

In the event of arrest, the petitioner shall be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned. However, the petitioner shall abide by the conditions as provided under Section 438(2) CrPC.

The petitioner is directed to appear before the Trial Court/Duty Magistrate within 10 days. Learned counsel for the petitioner, at this stage, undertakes that the petitioner shall regularly appear before the trial Court on each and every subsequent dates. In this regard, the trial court may, if require, ask the petitioner to furnish fresh bail bonds and surety bonds to its satisfaction.

Accordingly, the petition is disposed of with the above observation.

08.07.2020

vishal shonkar

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

(Girish Agnihotri)
Judge

Yes/No
Yes/No