

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

205

**CRM-M-29970-2020
Decided on : 04.11.2020**

Gunni Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Siddharth Gupta, Advocate, for the petitioner.
Mr.A.A.Pathak, Addl.A.G., Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seeks grant of anticipatory bail in a petition filed under
Section 438 Cr.P.C. in FIR No.130 dated 18.09.2017 under Section 379 & 311
IPC registered at Police Station Sadar Kotkapura, District Faridkot.

On 28.09.2020, the following order was passed:

“Inter alia contends that FIR No.130 is of the year 2017 (Annexure P-1) and the petitioner was appearing before the trial Court and there are 9 accused in the FIR. The petitioner could not appear before the trial Court on 11.09.2019 on account of his legs have been fractured and he was taking treatment from a local Vaid. Accordingly, warrants of arrest were issued (Annexure P-2). His anticipatory bail application was dismissed on 04.03.2020 by Additional Sessions Judge, Faridkot (Annexure P-3) on the ground that proclamation has been issued against him and the case was pending for 17.03.2020 for awaiting appearance of accused. It is thus contended that instead of directing the petitioner to appear before the trial Court, the dismissal of the bail application is not justified and it has further contributed to the delay of the trial. It is submitted that thereafter the petitioner has been declared proclaimed person and a FIR under Section 174-A has been lodged. It is contended that petitioner shall put in appearance before the trial Court to avoid further delay since investigation is already complete and he is not required for custodial interrogation.

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Notice of motion.

Mr. B.S. Sewak, Addl. AG, Punjab, accepts notice on behalf of the State.

Accordingly, the petitioner shall put in appearance in the above said FIR before the trial Court on 09.10.2020 and the Court shall release him on interim bail.

To come up on 04.11.2020 for confirmation of the said fact.”

Counsel for the petitioner has very fairly stated that the petitioner has not contacted him, thereafter.

Resultantly, the indulgence which was granted to the petitioner to appear before the Trial Court has not been availed of. The petitioner has already been declared proclaimed offender as noticed above. In such circumstances, keeping in view the conduct of the petitioner, no ground is made out to grant the benefit of anticipatory bail to him. The present petition is, accordingly, dismissed.

NOVEMBER 4, 2020
sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No