

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

CRM-M-43317-2020
Date of decision: 22.12.2020

Ajay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 255 dated 22.11.2016, registered under Section 379 IPC at Police Station City Kapurthala, District Kapurthala.

Learned counsel for the petitioner submits that petitioner was granted bail by the trial Court, vide order dated 06.01.2017 and the petitioner was appearing before the Court, however, when the *challan* was presented against petitioner and one co-accused namely Amandeep Singh @ Khatta, the proceedings against co-accused Amandeep Singh @ Khatta were abated on account of his death. The petitioner, thereafter, absented and despite issuance of non-bailable warrants and proclamation, he did not appear and the case file was ordered to be consigned to record room.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and he is ready to surrender before the trial Court.

Notice of motion.

Ms. Monika Jalota, DAG, Punjab, who is also appearing through video conferencing, accept notice on behalf of the respondent-State.

Learned State counsel has opposed the bail on the ground that there are eight cases pending against the petitioner and there is a possibility that if he is granted bail, he may abscond.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that petitioner was earlier granted bail and he was appearing before the Court, however, later on, he absented from the Court proceedings and now he is ready to surrender before the Court, the present petition is allowed. The petitioner is directed to appear before the trial Court on or before 15.01.2021 and on doing so, the trial Court shall release him on bail, subject to his furnishing fresh bail bonds and two local sureties to its satisfaction.

However, this will be subject to a condition that petitioner will deposit a cost of Rs. 10,000/- with the District Legal Services Authority, concerned.

It is made clear that in case the petitioner does not comply with the direction, this petition shall be deemed to be dismissed without any further orders.

22.12.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No