

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

CRM-M-46557 of 2019

Date of Decision:-16.01.2020

Harpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Harpal Singh has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 55 dated 19.3.2017, under Sections 379 and 21(1) of IPC, registered at Police Station Tanda, District Hoshiarpur.

Vide order dated 01.11.2019 passed by this Court, learned counsel for the petitioner submitted that the petitioner had earlier been granted anticipatory bail by the Sessions Judge, but he could not appear before the trial Court on 11.10.2018 because he was unwell and therefore, the bail was cancelled. He had specifically undertaken that the petitioner will appear before the Court on each and every date of hearing and would not absent himself except with the prior permission of the Court. In view of

the undertaking given by learned counsel for the petitioner, this Court issued notice and had granted ad-interim bail to the petitioner so that he may appear before the trial Court. On the last date of hearing i.e. 05.12.2019, learned counsel for the petitioner specifically stated that the petitioner had appeared before the trial Court in terms of interim order. He had further sought time to place on record the order of trial Court in that regard. In view of the same, interim order was directed to be continued.

Today, learned State counsel on instructions from ASI Mahesh Kumar has brought to the notice of this Court that the petitioner had not appeared before the trial Court, rather proclamation has been issued by the trial Court in this regard.

To this, learned counsel for the petitioner has fairly stated that on the last date of hearing i.e. 05.12.2019, he was not properly instructed by the father of the petitioner as the petitioner was suffering from mental health problem.

Be that as it may, it is now clear as stated by both the learned counsel for the parties that the petitioner had not appeared despite the interim relief granted by this Court, therefore, no interference can be made by this Court in this case.

Consequently, the present petition is dismissed. All the interim orders, if any, passed by this Court, are hereby vacated.

January 16, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No