

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

115

CRM-M-8936-2021

Date of Decision: 25.02.2021

AMRIK SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Ms. Mandeep Kaur, Advocate,
for the petitioner.**

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.14 dated 16.01.2013 under Sections 420, 406, 467, 468, 471 IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner submits that for being absent on 11.07.2018 from the trial Court, non-bailable warrants were issued against the petitioner and ultimately he was declared as a proclaimed person vide order dated 30.01.2019 and the proceedings under Section 174-A IPC were initiated against him. Thereafter recording the evidence under Section 299 Cr.P.C, the case was consigned vide order dated 27.09.2019. It is

thereafter, the petitioner filed the petition under Section 438 Cr.P.C. seeking

anticipatory bail before the Court of learned Additional Sessions Judge, Kapurthala. However, the same was declined. While dismissing the bail application of the petitioner, a direction was given to the petitioner that, in case, he surrenders before the trial Court and moves an application for bail, such application be decided preferably within a period of 03 days. Still not satisfied with the aforesaid order, the petitioner has filed the instant petition.

I have heard learned counsel for the parties.

This Court does not find any illegality in the order dated 15.12.2020 passed by learned Additional Sessions Judge, Kapurthala. However, this order is modified to the extent, that in case the petitioner surrenders before the trial Court within 07 days from today, and moves an application seeking regular bail, the trial Court shall make an endeavour to decide it either on the same day when such application is filed or in case it is not possible, then to decide the same within 02 days from such filing.

The present petition is disposed of accordingly.

February 25, 2021
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No