

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

**CRM-M-10187-2021
Date of decision:-4.3.2021**

Surinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Liaqat Ali, Advocate
for the petitioner.

H.S. MADAAN, J.(ORAL)

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Surinder Kumar, an accused in case FIR No.104 dated 18.7.2018, under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered with Police Station Haibowal, Ludhiana. He was granted pre-arrest bail vide order dated 2.8.2018 passed by learned Additional Sessions Judge, Ludhiana, copy of order being Annexure P2. Thereafter, challan was filed against him. The petitioner/accused absented from the Court on 26.11.2019 statedly due to his illness, resultantly, his bail bonds were cancelled and forfeited to the State and he has been ordered to be summoned through non-bailable warrants; proceedings under Section 82 Cr.P.C. are statedly pending

against him. He had moved the Court of Sessions seeking pre-arrest bail but was unsuccessful inasmuch as his such application was dismissed by learned Additional Sessions Judge, Ludhiana vide order dated 18.3.2020. As such, the petitioner has knocked at the door of this Court craving for grant of similar relief.

I have heard learned counsel for the petitioner besides going through the records.

Instead of surrendering in the trial Court and moving application for regular bail explaining all the facts and circumstances, the petitioner has chosen to adopt path of seeking pre-arrest bail, firstly by moving the Court of Sessions at Ludhiana and thereafter this Court. The petitioner is not entitled to any pre-arrest bail.

Therefore, the petition stands dismissed accordingly.

However, the petitioner is directed to surrender in the trial Court within a period of 10 days from today and in event of his doing so and moving application for regular bail, the same be disposed of by the trial Court expeditiously.

4.3.2021
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(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No