

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

104

CRM-M-17573-2021.

Date of Decision: 27.04.2021.

Akashdeep Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. B.B.S. Randhawa, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 438 Cr.P.C. has been moved by petitioner for grant of pre-arrest bail in case FIR No.77 dated 13.03.2020 under Sections 363, 366 and 366-A IPC, registered at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner *inter alia* contends that in the above said case FIR, petitioner was arrested on 22.03.2020 and he was admitted to bail by Sessions Court, vide order dated 27.06.2020 (Annexure P/2). He further submits that during the course of trial, petitioner solemnized marriage with prosecutrix on 08.03.2021 and since they were apprehending threat to their life and liberty, protection petition as run-away couple was moved at their instance and accordingly protection was provided. He further submits that on 01.04.2021 when the case was fixed before Trial Court, application seeking exemption from personal appearance was moved at the instance of petitioner mentioning therein that since

life and liberty at the hands of parents of prosecutrix, however, above said request was declined by Court and after cancellation of bail bonds, appearance of petitioner has been sought through warrant of arrest returnable for 26.04.2021. He further submits in view of above circumstances appropriate relief may be granted to petitioner.

Notice of motion.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him.

In view of above, it appears that as petitioner was apprehending imminent threat to his life and liberty, he could not appear before the Trial Court on the date fixed. Further, it is a case of single default and since petitioner is availing concession of bail w.e.f. 27.06.2020, thus, in view of above circumstances, he cannot be made to suffer.

As a sequel to above, instant petition is disposed of in the manner that petitioner is directed to surrender before the Trial Court/ Duty Sessions Judge, Tarn Taran, as the case may be, within seven days positively from today and on surrender, he shall be admitted to bail afresh to the satisfaction of Trial Court/ Duty Sessions Judge, Tarn Taran, as the case may be.

Meanwhile, no coercive steps shall be taken against the petitioner in pursuant to warrant of arrest already issued against him.

(LALIT BATRA)
JUDGE

27.04.2021

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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No