

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-20543 of 2021
Date of Decision : 20.09.2021

Tajinder Pal Singh @ Sher Singh @ Babbar

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in case FIR No. 173 dated 14.09.2017 registered under Sections 307, 120-B IPC 1860 and Section 3 of The Explosive Substances Act, 1908 at Police Station Division No.8 District Jalandhar on account of issuance of non-bailable warrants against him.

Learned counsel for the petitioner contends that the petitioner has surrendered before the trial Court in terms of order passed by a Co-ordinate Bench of this Court dated 16.06.2021. Order dated 16.06.2021 is as under:-

“Instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 173 dated

14.09.2017 registered under Sections 307, 120-B IPC 1860 and Section 3 of The Explosive Substances Act, 1908 at Police Station Division No.8 District Jalandhar in lieu of issuance of Non-bailable Warrants of arrest against the petitioner.

Learned counsel for the petitioner contends that pursuant to the grant of concession of regular bail by the lower Appellate Court, the petitioner had been regularly appearing before the Court concerned on all the dates. However, due to miscommunication and on account of the lockdown imposed due to the pandemic, the petitioner failed to appear on 17.02.2021 as a result of which non bailable warrants of arrest were issued against him and his bail bonds and surety bonds were cancelled. Learned counsel further contends that the absence of the petitioner was neither intentional nor willful. It has also been contended that the petitioner is willing to appear and surrender before the Court below.

The explanation offered appears to be reasonable.

Notice of motion.

On the asking of Court, Mr. Luvinder Sofat, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent-State.

In view of the submissions made above, the petitioner is directed to appear before the trial Court on or before 28.06.2021, who shall then be admitted to bail on his furnishing fresh bail bonds to the satisfaction of the Court concerned.

Adjourned to 20.09.2021.

Copy of the order passed by the lower Appellate Court be produced on the next date of hearing.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Kishore Kumar states that in terms of the order of this Court reproduced before, the petitioner has

surrendered before the trial Court.

In view of the above, the order dated 16.06.2021 granting interim bail to the petitioner is made absolute.

The petition stands disposed of.

September 20, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No