

In virtual Court

CRM-M-32706-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-32706-2021 (O&M)  
Date of decision: 13.08.2021

Ram Niwas Malik

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Shivam Grover, Advocate  
for the petitioner.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this 2<sup>nd</sup> petition is for grant of anticipatory bail in FIR No.100 dated 22.03.2017 under Sections 420, 406, 201 IPC, registered at Police Station Zirakpur, District SAS Nagar (Mohali); earlier one was dismissed vide order dated 10.07.2018.

After dismissal of first anticipatory bail application, the petitioner surrendered before the trial Court and the trial Court, vide order dated 14.12.2018, granted him regular bail. The petitioner absented from the Court proceedings and his bail/surety bonds were cancelled. Thereafter, challan was presented and on 28.03.2019, the petitioner moved an application for exemption

before the trial Court, which was allowed, however, on the next date i.e. 20.04.2019, when the case was fixed for consideration on charge. The petitioner again absented and his bail/surety bonds were cancelled and non-bailable warrants were issued. He was again granted anticipatory bail vide order dated 01.06.2019. The trial Court, thereafter, framed charges on 12.09.2019 and on 21.01.2020, the petitioner again absented from the Court proceedings and moved another application for anticipatory bail before the Court of Sessions, wherein he was granted time to furnish bail/surety bonds, however, having failed to do so, interim protection granted to the petitioner was dismissed on 15.10.2020. The petitioner has now filed this petition praying for anticipatory bail, after a gap of about 08 months because he has surrendered before the trial Court.

The only reason given in this petition for grant of anticipatory bail is that the petitioner is facing some medical problem, as his leg is amputated.

Considering the conduct of the petitioner that he is not permitting the trial to proceed further, as the FIR pertains to the year 2017 and in view of the fact that he was arrested for the first time on 26.10.2018, after dismissal of his first anticipatory bail application and thereafter, again absented on two occasions and his first anticipatory bail application before the Additional Sessions Judge was allowed and also in view of the fact that when the second one was allowed in the year 2020, the petitioner failed to furnish bail/surety bonds, I find no ground to grant him the concession of anticipatory bail.

Accordingly, the present petition is dismissed.

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In case the petitioner surrenders before the trial Court and moves an application for regular bail within a period of 07 days from today, the same be decided within three days thereafter.

13.08.2021  
*vishnu*

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No