

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.32979 of 2020
Date of Decision: January 19, 2021

Harbhej Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karambir Singh Kahlon, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case having CIS No.COMI/155/2016 bearing Criminal Case No.89 dated 02.07.2016 titled as “Balkar Singh Versus Malook Singh & others, pending in the Court of Judicial Magistrate Ist Class, Batala.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.11.2020, whereby while issuing notice of motion to the respondent-State, the interim regular bail was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that, on 08.03.2017 the petitioner left India and subsequently the subject complaint was filed on 20.07.2017. He has invited the attention of the Court to the summoning order dated 10.01.2019 to contend that on the said date the petitioner was not in India and therefore was never served effectively. He

submits that later on 14.11.2019 the petitioner was declared as proclaimed person.

Notice of motion for 19.01.2021.

Let the petitioner appear before the trial court on the date fixed i.e. 05.12.2020 and on his appearance he shall be admitted on an interim regular bail.”

Learned counsel for the petitioner contends that in deference to the order dated 19.11.2020, the petitioner appeared before the trial Court and submitted requisite bail-bonds, which were accepted by the Judicial Magistrate Ist Class, Batala vide order dated 05.12.2020. This fact is not disputed by the learned State counsel, on instructions from ASI Baldev Singh.

Considering above, the petition is allowed and the interim regular bail granted by this Court vide order dated 19.11.2020 is made absolute.

January 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No