

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

(106)

CRM-M-38974-2021

Date of decision : 20.09.2021

Harpreet Singh @ Gora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.224 dated 03.10.2016, registered for offences under Section 336 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959 (Offences under Section 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 were deleted later on), at Police Station Kotwali, District Bathinda (Annexure P-1).

The petitioner had approached the Sessions Court before filing the instant petition, which was decided vide order dated 02.09.2021, Annexure P-3, the relevant extract of which is as under:-

“3. Record of lower Court perused. The applicant-petitioner has been booked in FIR no.224 dated 3.10.2016 u/s 336 IPC and 27 Arms Act, PS Kotwali Bathinda. He was granted regular bail, by the trial Court vide order dated 22.5.2017. Thereafter accused

had been regularly attending the Court. He failed to attend the Court on 27.7.2021. A perusal of the file further shows that bail order of the accused has never been cancelled and his non bailable warrants have been issued for 14.10.2021. In these circumstance, no ground is made out for passing any order, on this application. Hence the application stands dismissed. Applicant accused is directed to surrender and move bail application before the trial Court within 20 days and to explain the circumstance of his absence. Trial Court after considering the same to decide the bail application, at its own. Trial Court record be returned immediately, with the copy of this order. File be consigned to the record room.”

Heard.

As the period of 20 days is about to expire, it is ordered that in case, the petitioner surrenders before the Trial Court on or before 30.09.2021 and files an application seeking grant of regular bail, the trial Court shall make an endeavour and decide the same within a period of one week from the date of its filing.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

20.09.2021
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No