

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

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**CRM-M No. 39988 of 2021
Date of decision :24.09.2021**

Karan Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Fatehjeet Singh, Advocate for the petitioner.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No. 143 dated 27.05.2020, registered under Section 379-B read with Section 34 IPC, at Police Station Division No. 8, Jalandhar, District Jalandhar.

Learned counsel for the petitioner submits that it is a case of bail jump as the petitioner was earlier granted the concession of regular bail by this Court, vide order dated 11.11.2020 and the petitioner was regularly appearing before the trial Court. However, due to wrong date noted by the petitioner, the petitioner absented himself from the Court proceedings on 25.08.2021. Resultantly, his bail bonds and surety bonds was cancelled and forfeited to the State and the petitioner was summoned through non-bailable warrant of arrest. It is further stated by the learned counsel for the petitioner that absence of the petitioner on 25.08.2021 was neither intentional nor willful. He is ready to appear before the Court and face the trial.

Notice of motion.

On the asking of this Court, Mr. H.S.Sitta, AAG, Punjab accepts notice on behalf of respondent-State.

On the other hand, while opposing the prayer for grant of anticipatory bail to the petitioner, learned State counsel submits that since the petitioner, after getting the concession of bail, has jumped it, he does not deserves the concession of anticipatory bail.

The petitioner absented himself from the court proceedings on 25.08.2021. The petitioner is now not required for any investigation or interrogation purposes and rather, he is only to face the trial. Therefore, no useful purpose would be served by sending the petitioner to custody.

Keeping in view the above, but without going into the merits of the case, the present petition is allowed and the petitioner is ordered to be released on anticipatory bail, subject to him furnishing the fresh bail/surety bonds within 10 days, to the satisfaction of the trial Court/Duty Magistrate. In case, the petitioner fails to furnish the requisite bonds within the stipulated period, the instant petition shall stand dismissed automatically.

24.09.2021

Rajeev (rvs)

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No