

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

103

CRM-M-50134-2021.

Date of Decision: 06.12.2021.

Ashish Badhan @ Aseem @ Tibri

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Dhawaljit Dutta, Advocate for
Mr. Sanjeeva Kumar Uppal, Advocate for petitioner.

(THROUGH VIDEO CONFERENCING).

Lalit Batra, J.(Oral)

This petition under Section 438 Cr.P.C. for grant of pre-arrest bail has been moved by petitioner-**Ashish Badhan @ Aseem @ Tibri** in case FIR No.22 dated 13.04.2012 under Sections 307, 323 and 324 IPC read with Section 34 IPC, registered at Police Station Division No.1, Pathankot, District Pathankot.

Learned counsel for the petitioner *inter alia* contends that vide order dated 14.02.2019, petitioner was summoned as additional accused while invoking provisions of Section 319 Cr.P.C. by learned Additional Sessions Judge, Pathankot, to face trial for commission of offence punishable under Sections 307, 323 and 324 IPC read with Section 34 IPC. He further submits that in the instant case FIR, petitioner was allowed pre-arrest bail by this Court, vide order dated 17.10.2019 and in pursuant to said

order, he (petitioner) had to put in appearance before Trial Court and used to appear on each date of hearing. He further submits that petitioner could not appear before Trial Court on 13.09.2021 due to mistake in noting down the exact date of hearing and as such on account of his absence, his presence has been ordered to be secured through warrant of arrest by the said Court. He further submits that on account of single default made at the instance of petitioner, he cannot be made to suffer. He further submits that petitioner is ready and willing to submit to the proceedings of Trial Court and he may be extended concession of pre-arrest bail.

Notice of motion.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondent-State. Complete copy of paperbook has been supplied to him in Court.

I have heard learned counsel for the parties.

In view of above, instant petition for grant of pre-arrest bail to the petitioner is disposed of in the manner that petitioner (accused) shall surrender before Trial Court on or before 14.12.2021 and on surrender, he shall be enlarged on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court. Meanwhile, no coercive steps shall be taken against the petitioner pursuant to warrant of arrest already issued against him.

(LALIT BATRA)
JUDGE

06.12.2021

jitender

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No