

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRM-M-50448-2021
Date of Decision : 02.12.2021

Parvinder Singh @ Robin

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.131 dated 06.09.2019 registered under Section 379-B & 411 of the IPC at Police Station E-Division, Amritsar.

Learned counsel for the petitioner argues that in the present case, the petitioner was already granted the benefit of regular bail by the trial Court on 03.12.2019 but, due to some miscommunication, the petitioner noted the next date of hearing as 13.11.2021 instead of 13.10.2021 and hence, he could not appear before the trial Court on the date fixed, on which date, not only bail of the petitioner was cancelled but, even non-bailable warrants were issued against him.

Learned counsel for the petitioner submits that non-appearance

of the petitioner was inadvertent and unintentional and the petitioner undertakes that henceforth, he will remain more vigilant to attend all the proceedings before the trial Court and as the petitioner is ready to join the proceedings before the trial Court, he may kindly be granted the benefit of anticipatory bail

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, who is present in the Court accepts notice on behalf of respondent-State.

Learned State counsel submits that the petitioner should have been acted more vigilant once he was granted the benefit of regular bail by the trial Court on a particular condition that he has to attend all the proceedings before the trial Court and as the petitioner was not so vigilant, the prayer of the petitioner for the grant of anticipatory bail may kindly be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Though, the petitioner should have been vigilant enough to note down the correct date of hearing keeping in view the fact that he is an accused in the criminal proceedings but, as the default on the part of the petitioner is on a particular occasion, for which, an explanation has already been submitted by him, by giving him a benefit of doubt, the petitioner is directed to join proceedings before the trial Court within a period of one week from today and upon his joining proceedings before the trial Court, he may be granted the benefit of anticipatory bail with a clear condition that henceforth, he will attend all the proceedings before the trial Court unless and until any prior exemption is granted to him by the competent Court of

law.

The present petition stands allowed in above terms.

December 02, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No