

**ALAM BHATHAL ALIAS KARANTI
VS
STATE OF PUNJAB**

Present: Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. SPS Tinna, Addl.A.G., Punjab

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The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.418, dated 15.10.2019, registered under Section 61 of the Punjab Excise Act, 1914, at Police Station City Barnala, District Barnala which is pending before the trial court.

It may be noted here that the petitioner is an accused in a criminal case arising from the aforesaid FIR. He is alleged to have been granted concession of bail by the Chief Judicial Magistrate on 23.10.2019. He further claims that he has been regularly appearing in the Court but due to spread of Covid-19 and consequent restricted functioning of the Court, he did not put in appearance in the month of July, 2021, which resulted in issuance ofailable and non-ailable warrants against him. It is also stated that the case is now fixed for hearing on 03.02.2022.

The learned counsel representing the petitioner contends that the petitioner did not physically appear in the Court while bonafidely believing that the courts are working in a restricted manner and he is not required to personally appear in the court. He undertakes that the petitioner shall surrender before the Court within one week from today.

Theailable and non-ailable warrants have already been issued to secure the presence of the petitioner.

Keeping in view the stand taken by the learned counsel representing the petitioner, the petition is disposed of by directing the petitioner to surrender before the trial Court within a week from today and apply for grant of a fresh bail.

The petitioner will also file an undertaking that he will never fail to appear before the trial Court unless his personal presence is exempted in advance. If the petitioner complies with the aforesaid conditions, the trial Court is requested to consider the request of the petitioner for grant of bail, sympathetically.

January 13, 2022

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(ANIL KSHETARPAL)
JUDGE