

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-3662-2022 (O&M)
Date of Decision:-12.9.2022

Lovepreet ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Sukhwinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.88, dated 31.05.2019, Police Station Shahkot, District Jalandhar (Rural), under Sections 406, 420 of Indian Penal Code.
2. At the time of issuance of notice of motion by a Coordinate Bench of this Court on 1.2.2022, the following order was passed:

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.88, dated 31.05.2019, registered under Sections 406, 420 of IPC at Police Station Shahkot, District Jalandhar (Rural).

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the present FIR by the

complainant. It is contended that the petitioner herein had been granted regular bail by an order dated 10.07.2019 and was appearing continuously thereafter before the trial Court, however, due to miscommunication between the petitioner and his counsel before the trial Court, he could not put in appearance on 03.12.2019 and thereafter on 09.01.2020, on which date, his bail bonds and surety bonds were forfeited to the State and non-ailable warrants of arrest were issued against him for 04.02.2020. Counsel would further contend that non-appearance before the trial Court was wholly inadvertent considering the fact that the petitioner has been continuously appearing ever since he was admitted to regular bail. It is contended that the petitioner is ready to face trial and be given one opportunity to put in appearance before the trial Court seized of the matter.

Notice of motion.

At this stage, Mr. A.S.Gill, Senior DAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of respondent-State.

I have heard learned counsel for the parties.

In view of the fact that the petitioner, who was on regular bail as far back as on 10.07.2019, had been appearing continuously, this Court deems it appropriate to allow him opportunity to present himself before the trial Court within a period of one week and on his doing so, he be admitted to interim bail to the satisfaction of the trial Court. Arrest of the petitioner is stayed limited for a period of one week to enable him to put in appearance before the trial Court.

Adjourned to 13.07.2022.

However, it is made clear that in case the petitioner does not appear before the trial Court within the stipulated period, any interim protection allowed to him shall stand vacated.”

3. Learned State counsel, upon instructions from ASI Sukhwinder Singh, has informed that pursuant to interim directions, the petitioner has appeared before the Trial Court and has been admitted to interim bail.
4. In view of the aforestated position and the fact that the petitioner is stated to be regularly appearing before the Trial Court after grant of interim bail, the instant petition is accepted and the interim directions issued by this Court vide order 1.2.2022 are hereby made absolute. The petitioner shall, however, ensure his presence before the Trial Court on each and every date.

12.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No