

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7933-2022
Date of Decision: 24.02.2022

Inderjit Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Umesh Sharma, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

(The case has been taken up through video conferencing on account of Covid-19 pandemic)

* * *

VIVEK PURI, J. (ORAL)

Notice of motion.

Ms. Ruchika Sabherwal, AAG Punjab accepts notice on behalf of the State.

Petitioner has prayed for grant of anticipatory bail in case bearing FIR No.189 dated 01.07.2019, under Sections 498-A, 406 IPC registered at Police Station Model Town, District Hoshiarpur.

The petitioner is facing trial for having committed the offences under Sections 498-A, 406 IPC.

Learned counsel for the petitioner contends that at the earlier instance the petitioner was granted pre-arrest bail by the Court of learned Addl. Sessions Judge in terms of the order dated 24.07.2019. The petitioner had absented from proceedings on 04.01.2022 and accordingly, the bail bonds and surety bonds were forfeited to the State and he has been ordered to be summoned non-bailable warrants. The reason assigned for non-appearance is to the effect that the counsel had not informed about the date. However, it has

not been disputed that on the date prior to 04.01.2022 i.e. the date on which bail bonds and surety bonds were forfeited, the petitioner had put in appearance. In such circumstances, the reason assigned cannot be taken to be correct. It has also been stated that this is the first default on the part of the petitioner. Furthermore, on 04.01.2022, 3 witnesses, namely, Gulzar Singh, Kuldeep Kaur and Jaswinder Kaur were present and they could not be examined on account of non-appearance of the petitioner.

Keeping in view the fact that this is the first default on the part of the petitioner, the ends of justice will meet if the petitioner is directed to surrender before the trial court/Duty Magistrate within a period of seven days from today. On his doing so, he shall be admitted on bail to the satisfaction of the learned trial Court/Duty Magistrate. Furthermore, this order is subject to the condition that the petitioner shall regularly appear before the trial Court on each and every date of hearing.

It has to be borne in mind that 3 witnesses were present on the date fixed and could not be examined on account of non-appearance of the petitioner, which resulted in delay in disposal of the case.

It is further directed that this order of bail granted to the petitioner is further subject to the condition that he will deposit a sum of Rs. 15,000/- with the District Legal Services Authority, Hoshiarpur. The bail bonds and surety bonds shall be accepted on furnishing the receipt issued by the District Legal Services Authority before the Court concerned.

Disposed of.

(VIVEK PURI)
JUDGE

24.02.2022
Janki

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