

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

CRM-M-9257-2020 (O&M)
Date of Decision:- 14.11.2022

Jhirmal Singh Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Gulati, Advocate, for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.222, dated 10.11.2017, Police Station Ladhuwal, District Commissionerate Ludhiana, under Section 379 IPC.
2. At the time of issuance of notice of motion on 2.3.2020 the following order was passed:

“Learned counsel for the petitioner states that vide Annexure P-2, non-bailable warrants have been issued against the petitioner as he committed default on one date of hearing in appearing before the Court due to noting down wrong date

of hearing. Learned counsel, on instructions from the petitioner, states that petitioner undertakes to appear before the learned trial Court on or before 12.3.2020.

Notice of motion for 20.3.2020.

On the basis of undertaking, on instructions, given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned trial Court on or before 12.3.2020. Till then, arrest of the petitioner shall remain stayed.”

3. Learned State counsel, upon instructions from ASI Lakhwinder Singh, has informed that despite issuance of order dated 2.3.2020, the petitioner has not appeared before the trial Court. Learned State counsel has also passed a copy of the latest order passed by the trial Court which is reproduced hereinunder:

“Present: Sh. Harkamalpreet Singh Addl. PP for the State.
Accused Daljit Singh, Gurmail singh on bail with counsel.
Proceedings against accused Jhirmal Singh separated.
Proceedings against accused Bachittar Singh stands abated.

Reply to the application not filed. On request, case is adjourned to 23.11.2022 for filing reply and for consideration.

Unexamined prosecution witnesses be also summoned for the said date.

Date of Order; 07.11.2022
Ajay Sarin, SG/II

(Amrinder Pal Singh)
Addl. Sessions Judge, Ludhiana
UID No. PB-0217”

4. The aforestated position shows that the petitioner despite specific directions has chosen not to appear before the trial Court. In these circumstances he does not deserve any special concession of anticipatory bail.

5. The petition as such is dismissed. However, in case the petitioner surrenders before the trial Court within a period of 10 days from today and moves an application for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously.

14.11.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No