

**101 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-16496 OF 2022

DATE OF DECISION: 22.04.2022

Satpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Kuldip Singh, Advocate,
For the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

ARUN MONGA, J. (ORAL)

This is second foray of the petitioner before this Court, seeking anticipatory bail in case FIR No. 31 dated 16.03.2020 registered under Sections 408/120-B IPC at Police Station Arniwala, District Fazilka, as he earlier approached this Court vide CRM-M-14787 of 2020 whereby he was granted the concession of interim anticipatory bail.

2. Per prosecution, FIR was registered on the statement of complainant to the effect that he purchased one tractor from District Fazilka Agency on finance from L & T Company. Petitioner used to collect the instalments of aforesaid tractor, being agent of the finance company. Due to non-payment of few instalments, petitioner took away the tractor on 02.06.2016. The complainant kept on receiving recovery notices whereas the said tractor was taken away by the petitioner.

3. Learned counsel for the petitioner submits that petitioner earlier approached this Court by way of filing CRM-M-14787 of 2020 and vide order dated 02.09.2020, he was granted interim anticipatory bail

subject to his complying with the provisions of Section 438 (2) Cr.P.C. However, he though kept on appearing before the Judicial Magistrate Ist Class, Fazilka from 28.07.2021 to 25.11.2021 but did not furnish requisite surety bonds. The petitioner could not appear on 15.12.2021 due to some miscommunication between him and his counsel as he was under the impression that due to pandemic, personal appearances in the Courts have been exempted.

4. Learned counsel for the petitioner submits that there is delay of four years in registration of FIR. The petitioner has been falsely implicated. He further submits that absence of the petitioner was not intentional as he had noted down the wrong date. No useful purpose would be served by sending the petitioner behind the bars. It is also contended that challan has been presented. The next date fixed before the trial Court is 23.05.2022.

6. I have heard learned counsels for the parties.

7. Since challan has already been presented, no useful purpose would be served by sending the petitioner behind the bars.

8. Accordingly, the instant petition is allowed. Petitioner shall be released on bail subject to his appearance before the trial Court on the date fixed i.e., 23.05.2022 and also subject to his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, as the case may be. The petitioner shall continue to appear on each and every date before the trial Court.

APRIL 22, 2022
Shalini

(ARUN MONGA)
JUDGE

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