

GURDEV SINGH @ FALLU
V/S
STATE OF PUNJAB

... PETITIONER

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. B.D.Sharma, Advocate for the petitioner.
Ms. Ruchika Sabherwal, AAG Punjab.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 86 dated 30.07.2019 under Sections 354, 354-D, 341, 365, 511 IPC (Sections 365, 511 IPC added later on), registered at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioner contends that at the earlier instance, he was granted regular bail and he has been appearing regularly before the trial Court. The petitioner failed to put appearance before the trial Court on 04.04.2022 as he had mistaken the date of hearing. Consequently, his bail order was cancelled and his bail bonds were also cancelled and forfeited to the State.

Learned counsel for the petitioner fairly concedes that the petitioner will surrender before the trial Court within a period of 7 days and will seek remedy as available under Section 70(2) of Code of Criminal Procedure. It has further been stated that to avail such a remedy, interim protection may be granted to the petitioner and the present petition be dismissed as withdrawn.

In view of the above, the petition is dismissed as withdrawn with liberty to the petitioner to avail remedy under Section 70(2) of Code of Criminal Procedure. It is further directed that in the event the petitioner surrenders within a period of 7 days, his arrest shall remain stayed till the disposal of such application. Furthermore, the interim protection granted to the petitioner will enure for a period of another 7 days in the event his request for recall of the warrant under Section 70(2) of Code of Criminal Procedure is declined.

23.05.2022

Janki

**(VIVEK PURI)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*