

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

CRM-M-25040 of 2022

Date of Decision: 01.06.2022

Harpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Naveen Batra, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.96 dated 17.07.2019 under Sections 420,34 IPC registered at P.S Mahilpur, District Hoshiarpur.

The petitioner, who is an accused in the said FIR, was admitted to bail on 29.07.2019. Thereafter, he was regularly appearing before the learned trial Court. However, due to absence of the petitioner on 18.02.2020, when number of prosecution witnesses were present, his arrest warrants were issued and consequently proclamation proceedings initiated.

It is evident from order dated 27.05.2022 passed by learned Sessions Judge, Hoshiarpur that again on 22.01.2021, notices were issued to both the accused including the petitioner but the same were not received back served or otherwise. Thereafter, the presence of the petitioner was secured through warrants of arrest for 09.11.2021 followed by five other consecutive hearings being deferred in this regard.

Learned counsel for the petitioner states that on account of

outbreak of Covid-19 only, he could not cause his appearance on the dates fixed. That apart, there is unexplained delay of nine months in lodging the present FIR. He undertakes that the petitioner shall appear before the learned trial Court on the date fixed or any date to be fixed by this Court.

Notice of motion.

Mr. B.S. Sewak, Addl.AG, Punjab, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 05.07.2022. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

This shall, however, subject to the petitioner depositing a sum of Rs.20,000/- with the Punjab and Haryana High Court Bar Association.

It is made clear that if the petitioner does not appear on or before 05.07.2022, this petition would be liable to be treated as dismissed.

June 01, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No