

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

CRM-M-27942-2022 (O&M)
Date of decision: 05.08.2022

Kuldeep Singh @ Bachhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. C.S. Rana, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the present petition, the petitioner seeks anticipatory bail in case bearing FIR No. 18 dated 02.04.2019 registered under Section 379-B IPC read with Section 34 IPC and later on added Section 411 IPC, at Police Station Ladhuwal, District Ludhiana.

Status report by way of affidavit dated 27.07.2022 of the Assistant Commissioner of Police (West) Ludhiana, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner was granted regular bail vide order dated 23.04.2019 passed by the learned trial Court and thereafter, he was regularly appearing before the Court. But because of some unavoidable circumstances, the petitioner could not appear before the Court on 23.11.2021 and accordingly, his surety/bail bonds were cancelled and forfeited to the State and warrants of arrest were issued against him. The petitioner is ready to appear before the learned trial Court.

Learned State counsel that the petitioner is involved in two other cases.

It is a case, wherein, the petitioner had been regularly appearing before the Court, but only on a solitary date i.e. 23.11.2021, he could not appear before the trial Court because of some unavoidable circumstances.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and judgments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

Keeping in view the above fact, but without expressing any opinion on the merits of the case, the present petition is disposed of with a direction to the petitioner to surrender before the trial Court/Duty Magistrate, within 10 days from today, subject to him depositing the costs of Rs.20,000/- with the District Legal Services Authority, Ludhiana. On his doing so, the petitioner shall be released on bail, subject to him furnishing the fresh bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

05.08.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No