

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

(104)

**CRM M 35446 of 2022 (O&M)
Date of Decision:10.08.2022**

Rakesh Kumar @ Kesi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.Lupil Gupta, Advocate for the petitioner

Mr.H.S.Grewal, Addl.Advocate General, Punjab

ASHOK KUMAR VERMA, J.

The petitioner has approached this Court by filing this petition under Section 438 of the Cr.P.C. for grant anticipatory bail to him in case FIR No. 30 dated 22.02.2021 under Sections 457, 380, 413 and 411 of the IPC (Section 411 IPC added later on) registered at Police Station City Jagraon, District Ludhiana on account of the fact that his bail bonds and surety bonds have been cancelled by the trial court and he has been ordered to be summoned through non-bailable warrants of arrest for 24.8.2022 vide its order dated 22.7.2022 .

Notice of motion.

On the asking of this Court, Mr.H.S.Grewal, Additional Advocate General, Punjab who is present in Court, accepts notice on behalf of respondent no.1-State.

Learned counsel for the petitioner submits that the petitioner had

dated 12.3.2021. Thereafter, the petitioner had been appearing regularly before the trial court. However, on 22.7.2022 the petitioner could not appear before the trial court as inadvertently, he noted the next date wrongly as 27.7.2022 instead of 22.7.2022 which resulted in cancellation of bail/surety bonds of the petitioner and issuance of non-bailable warrants of arrest against the petitioner by the trial court vide its order dated 22.7.2022. Learned counsel further submits that the petitioner will appear before the trial court with promptitude. In case the petitioner makes default, liberty is reserved to take him in custody.

In this view of the matter and in view of the peculiar facts and circumstances of the present case, this petition is disposed of with a direction to the petitioner to appear before the trial court/Duty Magistrate on or before 24.8.2022 and on his appearance, the petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial court/Duty Magistrate.

(ASHOK KUMAR VERMA)
JUDGE

10.08.2022

MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No