

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

Sr. No.107

CRM-M-36895-2022

Date of decision :22.8.2022

Butta Singh

.....Petitioner

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.Amandeep Chhabra, Advocate for the petitioner

Mr.Vishnav Gandhi, DAG, Punjab

AMAN CHAUDHARY, J.

Learned counsel for the petitioner submits that the petitioner is working as an Assistant Lineman in PSPCL Department. He admits that the petitioner was unable to appear before the Trial Court on 10.5.2022 as was suffering from typhoid as has been mentioned in para 4 of the petition, however, he had been appearing prior thereto on each date of hearing. He further submits that on 10.5.2022, due to non-appearance of the petitioner before the Trial Court, his bail bonds were cancelled and his non-ailable warrants were issued. Learned Sessions Judge, Bathinda, vide order dated 22.7.2022 dismissed the bail application of the petitioner being not maintainable. However, on request made by learned counsel appearing on behalf of the petitioner before the Trial Court to decide the regular bail application of the petitioner in a time bound manner, it was observed that in the event, the petitioner surrenders before the Trial Court and requests for grant of regular bail, learned Trial Court was directed to dispose of the matter at the earliest possible, preferably within two days.

On realising that this Court is not inclined to grant bail, the learned counsel for the petitioner submits that the petitioner being a government servant, shall suffer irreparable loss in case, he is taken into

custody, it will have an adverse affect on his service, in case, the trial Court in terms of order passed by the learned Sessions Judge takes more than a day in deciding his bail application, thus, he limits his prayer to the extent that the period of two days as granted by the learned Sessions Judge, be reduced to one day for the learned trial Court to dispose of his request for bail in the event of his surrender.

The learned State counsel has no objection to acceptance of the aforesaid prayer of the petitioner.

In view the peculiar facts and circumstances of the case that the petitioner had been regularly appearing before the learned trial Court except on 10.5.2022, which led to the cancellation of his bail and issuance of non-bailable warrants and that the service of the petitioner may get adversely affected, in case the period of two days for disposing of the bail application of the petitioner, as granted by the learned Sessions Judge, is not reduced to one day, without commenting on the merits of the case, the present petition is disposed of requesting the learned trial to consider the bail application of the petitioner for its disposal within one day, in case he surrenders before the Court and files an application for grant of bail.

22.8.2022
gsv

(AMAN CHAUDHARY)
JUDGE

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