

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

105

**CRM-M-53062-2021
Date of decision:27.01.2022**

DILBAGH SINGH @ NIKKA

...petitioner

V/S

STATE OF PUNJAB

...respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Deepak Gupta, Advocate
for the petitioner

Mr.M.S.Nagra, AAG Punjab

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

On 11.01.2022, the following order had been passed by this Court:-

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.01, dated 05.01.2019, having been registered at Police Station Sadar Kotkapura, District Faridkot, alleging therein the commission of offences punishable under the provisions of Sections 379/411 of the IPC.

Learned counsel for the petitioner submits that the petitioner having appeared before the trial court on all dates prior to 08.11.2021, after he was admitted to bail, he may be permitted to surrender before the trial court and he may be admitted to bail again, obviously subject to him continuing to appear before the trial court as and when summoned.

Notice of motion.

Mr. M.S.Nagra, AAG, Punjab, accepts notice at the asking of the court on behalf of the respondent State and submits that the petitioner having jumped bail he does not deserve to be admitted to bail again.

Having considered the matter, even a perusal of the order passed by the learned Sessions Judge, Faridkot, on 17.11.2021, would seem to indicate that the petitioner remained absent on only one date before the trial court, i.e. 08.11.2021.

That being so, though otherwise no fault could be found with the order passed by the learned courts below, yet in the aforesaid circumstances, the petitioner is directed surrender before the trial court within 10 days from today and upon him so surrendering, he would be admitted to interim bail, upon him furnishing adequate bail and surety bonds to the complete satisfaction of that court, till the next date of hearing before this court.

Adjourned to 27.01.2022.

To be shown in the urgent motion list.

A copy of the petition be e-mailed to learned State counsel today itself by learned counsel for the petitioner.

Today, learned counsel for the petitioner has produced in court an order passed by the learned Chief Judicial Magistrate, Faridkot, dated 21.01.2022, admitting the petitioner to interim bail on his furnishing a personal bond in the sum of Rs.25,000/- and one surety in the like amount.

That being so, for the reason already recorded in the order dated 11.01.2022, without making any comment on the actual merits of the case before the trial Court, the petition is allowed with the order dated 11.01.2022 made absolute on the same terms and conditions, with an observation made by this court

that if the petitioner again does not appear before the trial court on any date summoned (unless granted specific exemption for that purpose), his bail and surety bonds would stand forfeited.

(AMOL RATTAN SINGH)
JUDGE

27.01.2022

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