

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5914-2023

DATE OF DECISION: FEBRUARY 6, 2023

BALJIT SINGH @ LEADER

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. SIMRANJOT S. NAGRA, ADVOCATE
FOR THE PETITIONER.

DEEPAK MANCHANDA, J.(ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0234 dated 30.11.2021, under Section 307, 452, 148, 149 IPC, Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner has argued that the petitioner was released on regular bail by the trial Court vide order dated 15.12.2021 and since then he was regularly appearing before the trial Court, but only on one one date, i.e. 29.11.2022, he could not appear, for the reason that he noted down a wrong date as 29.12.2022, instead of 29.11.2022. Due to the said absence before the trial Court, vide order dated 29.11.2022, the bail granted to the petitioner was cancelled and his bail and surety bonds were forfeited and warrant of arrest for 3.1.2023 was also issued. Learned counsel further submits that the petitioner is ready to appear before the trial Court.

When counsel for the petitioner was confronted with the

maintainability of the petition against the order dated 29.11.2022, learned counsel submits that the petitioner is ready to appear before the trial Court.

Notice of motion.

At this stage, Mr. P.S. Grewal, DAG, Punjab, who is present in the Court accepts notice on the asking of the Court and submits that the impugned order has been passed on the sole ground of absence of the petitioner, however, it is not disputed by him that the petitioner was on regular bail since 15.12.2021 and had been appearing before the trial Court.

In view of the above position, the petitioner is directed to appear before the trial Court on 13.2.2023 and on his doing so, he shall be admitted to bail on his furnishing fresh bail bonds and surety bonds.

Petition is disposed of.

February 6, 2023
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No