

207

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

CRM-M-18848-2023

Date of decision: 08.08.2023

Gurdhian Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gaurav Datta, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab along with
ASI Sukhdev Singh.

VIKAS BAHL, J. (ORAL)

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.276 dated 26.08.2020 registered under Sections 188, 269, 270 of the Indian Penal Code, 1860 and Section 51(b) of Disaster Management Act, 2005 at Police Station Sadar Tarn Taran, District Tarn Taran.

2. On 18.04.2023, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioner contends that the petitioner was granted concession of bail by the Investigating Agency as the offences are bailable in nature. The petitioner is suffering from heart ailment and is undergoing regular treatment in different hospitals. The petitioner could not

appear before the trial Court on 31.01.2023 for which an application for exemption was duly filed. The trial Court rejected the application for exemption and the bail of the petitioner was also cancelled and thereafter, the trial Court proceeded to issue proclamation warrant on 16.03.2023. CRM-M No.12949 of 2023 filed by the petitioner for quashing of the impugned order is also pending in this Court for 25.04.2023 after issuance of notice of motion.

Learned counsel for the petitioner also relies upon order dated 07.12.2022 passed by this Court in CRM-M No.43799 of 2022 wherein concession of anticipatory bail has been accorded to the co-accused namely Laljit Singh Bhullar.

Notice of motion for 10.07.2023.

Keeping in view nature of allegations and the facts on record, the petitioner is directed to appear before the trial Court within a period of 10 days from today and on doing so, the trial Court shall admit him on interim bail subject to its satisfaction.

18.04.2023

Sd/-(RAJ MOHAN SINGH)

JUDGE”

3. Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order, the petitioner has appeared before the trial Court on 20.04.2023 and has been granted interim bail. It is further submitted that the petitioner would appear on each and every date before the trial Court unless his personal appearance is specifically exempted by the trial Court.

4. Learned State Counsel, after taking instructions from ASI Sukhdev Singh, has not disputed the abovesaid factual position.

5. Keeping in view the abovesaid facts and circumstances, more

so, the facts which have been noticed in the abovesaid order dated 18.04.2023, the present petition is allowed and the order dated 18.04.2023 is ordered to be made absolute subject to the condition that the petitioner would appear on each and every date before the trial Court unless his personal appearance is specifically exempted by the trial Court.

08.08.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No