

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

2023:PHHC:059276

103

CRM-M-20815-2023

Date of decision:26.04.2023

VIRENDER KUMAR AND ANOTHER

..... Petitioners

VS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.Karan Chaudhary, Advocate
for the petitioners

Mr.Arun Gupta, AAG Punjab

ALOK JAIN, J. :

The instant petition has been filed seeking grant of anticipatory bail to the petitioners in case FIR No.116 dated 01.08.2016 under Sections 498-A/406 IPC registered at Police Station Batala, District Gurdaspur.

Learned counsel for the petitioners submits that the petitioners had been granted interim bail, vide orders dated 31.08.2016 and 28.09.2016 (Annexures P-5 and P-7), passed by this Court and subsequent thereto, they had been appearing before the trial Court. However, subsequently, on 01.08.2022 they did not put in appearance before the trial Court which led to the passing of the order dated 01.08.2022 (Annexure P-8), whereby their bail was cancelled. Even thereafter, the petitioners were issued notices as well as bailable and non-bailable warrants and proclamation process was also issued and it is only thereafter that the petitioners applied for anticipatory bail on 31.03.2023. Learned trial Court after considering the contention and going through the judicial record, dismissed the said application on 05.04.2023 (Annexure P-10).

Learned counsel for the petitioners has very fairly submitted that he does not press the petition on behalf of petitioner No.1, who will surrender before the trial Court and seek regular bail, however, he prays that since petitioner No.2 is an old lady of 65 years, suffering from paralysis and unable to move without a wheel chair, a sympathetic view be taken towards her.

Accordingly, the present petition is disposed of with a direction that petitioner No.2 shall surrender before the trial Court within a week from today and the trial Court is advised to consider deciding the bail application if moved by petitioner No.2-Veena Rani, expeditiously and preferably on the same date, keeping in view her medical condition. The bail application moved by petitioner No.1 be also decided expeditiously in accordance with law.

Petition is disposed off accordingly.

(ALOK JAIN)
JUDGE

26.04.2023

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