

**2023:PHHC:080935**

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

**201**

**CRM-M No.27645 of 2023**

**Date of Decision: 02.06.2023**

**DILAWAR SINGH**

**.....Petitioner**

**Vs**

**STATE OF PUNJAB**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr.Shivender Pal Singh, Advocate for  
Mr.B.S.Bhalla, Advocate  
for the petitioner.

Mr.Sanjeev Soni, Addl.A.G.Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

1. The petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.173 dated 17.08.2018, registered under Sections 302, 201, 34 IPC at Police Station Jandiala Guru, District Amritsar.
2. Learned counsel for the petitioner submits that the petitioner was granted regular bail by this Court vide order dated 09.07.2020. The petitioner was regularly appearing before the trial Court, but due to his arrest in FIR No.404 of 2022 under Section 379 IPC, he could not appear before the trial Court on 07.03.2022 and his bail bonds and surety bonds were

cancelled and forfeited to the State. In view of nonailable warrants issued against the petitioner, his custody was secured by means of production warrants on 19.01.2023 and since then he is in custody.

3. Learned counsel for the petitioner further submits that non appearance of the petitioner before the trial Court on 07.03.2022 could not be attributed to the petitioner. Presence of the petitioner was secured only by means of production warrants and he was arrested on 19.01.2023 and since then he is in custody in the present case.

4. The Judge, Special Court, Amritsar, while declining the prayer for grant of regular bail, has noticed in para No.4 that the bail of the petitioner was cancelled on 07.03.2022, owing to his absence and his bail bonds and surety bonds were cancelled and were forfeited to the State. Thereafter, he was summoned through nonailable warrants and his presence was secured only by means of production warrants and is in custody since 19.01.2023.

5. In view of the aforesaid facts, particularly in the light of order dated 09.07.2020, vide which regular bail was granted to the petitioner, I deem it appropriate to grant regular bail to the petitioner.

6. In view of above, this petition is allowed. The

petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

**June 02, 2023**

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Whether speaking/reasoned      Yes/No

Whether reportable              Yes/No

**(RAJ MOHAN SINGH)  
JUDGE**