

4. Mr. Sandeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of the respondent State. He submits that although the petitioner does not deserve the concession of bail because he had absconded from the process of law, however, the State has no objection, if the petitioner appears before the Trial Court.

5. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remain present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

6. In view of the above, the present petition is allowed and the impugned order dated 15.07.2017 passed by the Judicial Magistrate Ist Class, Dhuri, is quashed, subject to the petitioner appearing before the Trial Court on or before 20.09.2023. It is further directed that in case the petitioner so appears before the Trial Court on or before 20.09.2023, then he shall be released on bail on his furnishing bail bonds/sureties to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(RAJBIR SEHRAWAT)
JUDGE

25.08.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No