

2024:PHHC:121754



CRM-M-7366-2023

(1)

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

[213]

CRM-M-7366-2023

Date of decision: 16.09.2024

GURBEANT SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present : Mr. Mohit Sadana, Advocate for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

1. Instant petition has been filed under Section 482 Cr.PC for quashing of the order dated 14.10.2022 passed by the Chief Judicial Magistrate, Sangrur (Annexure P-7) in FIR No. 87 dated 15.10.2018 for offences punishable under Section 186, 353 IPC, 1860 and Section 52A of Prisons Act, 1894, registered at Police Station City 1 Sangrur, District Sangrur and all other subsequent proceedings arising out of the aforesaid order.

2. Vide order of a coordinate Bench of this Court dated 26.04.2023, the Court had granted the concession of ad interim bail to the petitioner and asked him to join investigation. The said order reads as under:-

“On 02.03.2023, this Court had passed the following order :

“Learned counsel for the petitioner inter alia contends that on 03.09.2019 the petitioner was granted regular bail and thereafter has been regularly appearing in his trial unless specifically exempted as also that on 14.10.2022 when his bail has been ordered to be cancelled, he was returning back from Delhi after having boarded 03 year old son of his sister on a flight to Canada.



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Notice of motion.

Mr. Arun Luthra, DAG, Punjab accepts notice on behalf of the respondent and prays for time to file a reply.

Adjourned to 22.03.2023.

To be taken up in the urgent list.”

Learned State counsel acknowledges that the petitioner has a 03 year old nephew who has recently left for Canada.

In the light of the reasons recorded in the afore-quoted order and the statement made by learned State counsel, subject to payment of Rs.5000/- as costs to be deposited by the petitioner with the Poor Patient Welfare Fund, PGI MER, Chandigarh and his surrender before the trial court within one week from today, he shall be admitted to ad interim bail to the trial court's satisfaction, who shall insist on heavy local sureties.

Adjourned to 26.07.2023.”

3. Counsel for the petitioner has submitted that the petitioner has complied with the aforesaid order dated 26.04.2023.

4. State counsel does not controvert the factum of compliance of the aforesaid order.

5. Given above, present petition is allowed and no further order is required to be passed in the instant petition and order dated 26.04.2023 is made absolute, subject to the condition that petitioner shall continue to appear on each and every date except for justifiable reasons.

6. All pending application, if any, is/are disposed of accordingly.

September 16, 2024

*Anjal**

**(ANOOP CHITKARA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No