

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CRM-M-12881-2024

Date of decision: 13.03.2024

Surjit Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Simranjot S. Nagra, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.2 dated 08.01.2015 under Sections 323, 148, 149, 506, 427, 307, 452, 120-B of the IPC and Section 52-A of the Prisons Act, 1894 registered at Police Station City Gurdaspur, District Gurdaspur.

2. Learned counsel for the petitioner submits that earlier the petitioner had been granted the concession of bail by this Court vide order dated 22.09.2015 and he was regularly appearing before the learned Trial Court. He submits that the petitioner had failed to appear before the learned Trial Court on a single date i.e. 09.01.2024 on account of noting down wrong date as 09.02.2024 due to which non-bailable warrants of arrest have been issued against him vide order dated 09.01.2024. He submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial

Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. On asking of the Court, Mr. Navdeep Singh, DAG, Punjab accepts notice on behalf of the respondent-State.

4. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today, subject to deposit of Rs.10,000/- with the District Legal Services Authority, Gurdaspur which shall be a condition precedent. Till then, no coercive steps be taken against the petitioner.

5. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided by the Trial Court in accordance with law.

13.03.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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