

105 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16007-2024
Decided on:-03.04.2024

Lovepreet SinghPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. C.S. Bakshi, Advocate with
Mr. Gagandeep Singh, Advocate,
for the petitioner.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.209 dated 31.08.2018, registered under Sections 307, 489, 473 and 411 IPC and Section 25/54/59 of the Arms Act, at Police Station Civil Lines, Patiala, so as to enable him to join the proceedings before the trial Court.
2. In the present case, having been implicated in the aforementioned FIR, petitioner was initially granted the concession of regular bail vide order dated 05.10.2018 passed by the Court of Additional Sessions Judge, Patiala, followed by filing of final report in August, 2023. Thereafter, the petitioner did not appear before the trial Court, resulting into cancellation of his bail, vide order dated 06.02.2024.
3. Learned counsel for the petitioner while referring to the medical condition of his father and mother-in-law, submits that the non-appearance

of the petitioner was for bonafide reasons and he never intended to evade the proceedings. He further submits that the petitioner is even ready and willing to surrender himself before the Court concerned and join the proceedings.

4. Notice of motion.

5. Mr. Kewal Singh, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State and vehemently opposes the prayer made on behalf of the petitioner while submitting that the petitioner being fully conscious of the filing of the final report, failed to submit himself before the jurisdiction of trial Court, thereby resulting into passing of order dated 06.02.2024, which thus, warrants no interference.

6. I have heard learned counsel for the parties and gone through the contents of the paper book. I find substance in the submissions made on behalf of the petitioner.

7. In the present case, the final report by the investigating agency was filed before the trial Court in August, 2023. A perusal of the record shows that the bail of the petitioner was cancelled, followed by forfeiture of bail/surety bonds vide order dated 06.02.2024, on account of his non-appearance which primarily as per the records is attributable to the long illness of his father as well as mother-in-law and thus non-appearance of the petitioner appears to be bonafide. Moreover, the petitioner is even ready to surrender before the Court concerned.

8. In view of the above, the present petition is disposed of with the direction to the petitioner to surrender himself before the trial Court within a period of 07 days from today and the Court concerned is requested to accept his fresh bail/surety bonds to its satisfaction. Till then, no coercive steps be

taken against the petitioner.

9. The aforesaid order is subject to payment of costs of Rs.25,000/- to be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of two weeks from the date of receipt of certified copy of this order.

03.04.2024
sonika

(HARKESH MANUJA)
JUDGE

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