



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41395-2024
Date of decision: 06.09.2024

PARAMJIT SINGH ALIAS PAMMA ALIAS PARAMJIT

....PETITIONER

Versus

STATE OF PUNJAB

....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Amit Dhawan, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.

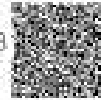
SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of Bhartiya
Nagarik Suraksha Sanhita, 2023 (BNSS), petitioner seeks anticipatory bail
in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
73	21.06.2022	379-B of IPC and Section 201, 34 of IPC added later on.	Bhogpur, District Jalandhar (Rural).

2. At the very outset, learned counsel for the petitioner submits that in the head note of the petition due to typographical error, the offence had been mentioned as 20 of IPC instead of 201 of IPC and the same requires modification. In the interest of justice, Registry is directed to mention the offence as Section 201 of IPC instead of Section 20 of IPC in the head note. Necessary correction be carried out by the Registry.

3. It is, *inter alia*, contended by learned counsel for the petitioner that in compliance to the order passed by this Court on 27.08.2024, the



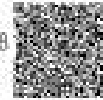
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petitioner has appeared before the learned trial Court and furnished the requisite bail bonds. In support of his contention, he has placed on record copy of order dated 31.08.2024 passed by learned Additional Sessions Judge-II, Jalandhar in this regard.

4. This aspect is not disputed by learned State counsel.
5. During the course of hearing on 27.08.2024, following order was passed:

“3. Learned counsel for the petitioner, inter alia, contends that the petitioner, after having been arrested in case FIR (Annexure P-1) was granted concession of regular bail vide order dated 17.04.2023 (Annexure P-2) by the Court of learned Additional Sessions Judge, Jalandhar. Thereafter, he had been regularly appearing in the Court, however, on 19.03.2024, he could not appear in the Court on account of his being arrested in another case bearing FIR No.9 dated 07.02.2024 under Section 21 of NDPS Act registered at P.S. Dhilwan, District Kapurthala. He has referred to the order dated 15.03.2024 (Annexure P-4) passed by learned Judge, Special Court, Kapurthala, granting bail in the subsequent dIR, in this regard. He contends that after the petitioner was granted bail in the subsequent FIR, he was released by the jail authorities in the evening on 19.03.2024 and due to this reason, the petitioner could not appear in the learned trial Court. The petitioner had moved an application for recalling of the order dated 19.03.2024 (Annexure P-3) but the same has been declined vide order Annexure P-5. He contends that the absence of petitioner on the date fixed was not intentional but due to the reasons beyond his control and the petitioner is ready to appear in the learned Trial Court and to face trial by



regularly appearing therein on each and every date of hearing without fail.

4. *Notice of motion, returnable for 06.09.2024.*

5. *On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and submits that the next date fixed in the learned Trial Court is 31.08.2024 and has not disputed the factual matrix.*

6. *In the meanwhile, the petitioner is hereby directed to to appear before the concerned learned Trial Court/Judge on Duty on 31.08.2024 and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned learned Trial Court/Judge on duty.*

7. *The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.”*

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished her requisite bail/surety bonds consequent to the order dated 27.08.2024, passed by this Court, the present petition is allowed. The order dated 19.03.2024, passed by learned Additional Sessions Judge-VIII, is set aside and the interim bail granted vide order dated 27.08.2024 is hereby confirmed.

7. The petition stands allowed.



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8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.09.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |