



CRM-M-54535-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-54535-2024
Date of Decision: 12.11.2024

Gurpreet Singh alias GauravPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Fatehjeet Singh, Advocate, for the petitioner.

Mr. R. S. Bhatta, DAG Punjab.

GURBIR SINGH, J. (ORAL)

1. This petition has been filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the petitioner in case FIR No.181, dated 16.12.2021, under Sections 408, 420 IPC of 1860, registered at Police Station City Nakodar, District Jalandhar.
2. Fresh Power of Attorney filed with No Objection from earlier counsel on behalf of the petitioner in Court today, is taken on record.
3. The aforesaid FIR was registered on the basis of a complaint made by Ajitpal, Managing Director, Amrit Malwa Capital Limited, Nakodar, with the allegation that their ex-employee i.e. the petitioner herein, during his service with the Company, was assigned the duty to collect installments from the customers of the Company. He collected amounts but without issuing receipts and did not deposit the said amounts with the complainant Company. He committed fraud with the Company to the tune of around Rs.5 Lakhs.
4. Vide order dated 02.09.2022, learned Additional District and Sessions Judge, Jalandhar, released the petitioner on bail. However, due to

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his absence before the trial Court, his bail bonds & surety bonds were cancelled vide order dated 16.08.2024. Non-bailable warrants have been issued against the petitioner and now, proclamation has been issued against him for 13.12.2024.

5. Learned counsel for the petitioner submits that on account of noting a wrong date, the petitioner could not appear before the trial Court on 16.08.2024. When he came to know about his absence and issuance of non-bailable warrants, he immediately approached the Sessions Court for grant of anticipatory bail, but vide order dated 09.10.2024, his application was dismissed. He further submits that his absence before the trial Court was not intentional. He is ready to join investigation.

6. Notice of motion.

7. Mr. Rajinder Singh Bhatta, DAG, Punjab accepts notice on behalf of respondent-State. The petitioner intentionally did not appear before the Court and his bail bonds were rightly cancelled.

8. Having heard learned counsel for the parties, the present petition is disposed of with a direction to the trial Court that in case the petitioner surrenders before it within two weeks from today and moves an application for grant of bail, the same shall be considered and decided within three days positively by considering the points raised by the petitioner.

(GURBIR SINGH)
JUDGE

12.11.2024**anil**

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