

IN THE COURT OF SH. SANDEEP SINGH JOSSAN (PB0150)
ADDITIONAL SESSIONS JUDGE, HOSHIARPUR.

BA No.1077/2022.
CNR No. PBHO010035402022
Decided on: 01.06.2022.

State of Punjab

Versus

Sarabjit Kumar, aged 34 years, s/o Satpal, r/o village Bohan, Patti, P.S. Chabbewal, District Hoshiarpur, now r/o Gogo Mehtabpur, P.S. Garshankar, District Hoshiarpur, at present r/o village Saroya, PS Pojewal, District SBS Nagar.

FIR No. 164 dated 23.09.2017,
Under Section: 379/380/457 IPC
PS: Garshankar, Distt. Hoshiarpur.

Bail application U/s 438 Cr.P.C.

Present: Sh.Shavinder Saini, cl for the accused/applicant.
Addl. PP for the State.

ORDER

1. This order disposes off bail application of accused described in detail herein above. The case in which this application is filed is pending in the lower court. Accused absented from the court proceedings. Bail bonds and surety bonds of the accused cancelled and forfeited to the State. Non bailable warrants of arrest were issued.
2. It is alleged on behalf of accused that accused/ applicant inadvertently noted down the wrong date of hearing and could not come present before the ld.Trial Court.
3. Application has been opposed by the State.

Perusal of the photocopy of Zimney dated 18.2.22 shows that production warrant of co-accused Kuldip Kumar were not received back and fresh was ordered to be issued for 16.3.22. As far as accused/ applicant is concerned he absented himself from the court proceedings, therefore his bail/ surety bonds were cancelled and forfeited to the State and non-bailable warrants were issued. So photocopy of the Zimney it came out that both the accused of this FIR were absent, production warrant of one accused was not received and fresh was issued and non-bailable warrant of accused/ applicant was issued, so to my mind personal attendance of accused was not necessary and in the absence of accused, it was possible to proceed further, So, keeping in view that accused ready to surrender in the court, no useful purpose is going to be served by procuring presence by way of arrest warrants with the intervention of the Police nor custodial interrogation is required nor anything is to be recovered from accused. As such the present anticipatory bail is allowed and applicant-accused admitted to bail on furnishing bail bonds to the satisfaction of the trial court, subject to the condition that accused shall appear before the Trial Court on 8.7.22, the date fixed in Id.Lower Court, failing which present bail application shall deem to be dismissed.

Copy of this order be sent to Id.Trial Court. Record of present bail application is ordered to be consigned to the record room.

Pronounced. Dated: 01.06.2022.	Sandeep Singh Jossan PB0150 Additional Sessions Judge, Hoshiarpur.
---	---

Typed by : Mukesh Chander,
Stenographer Grade-1.