

IN THE COURT OF SHRI GAURAV KALIA,
ADDITIONAL SESSIONS JUDGE, SANGRUR
(Unique Identification No.PB-0517)

B.A. No.1095 dated 30.04.2018
CIS Registration No.BA/1095/2018
CNR No.PBSG01-003629-2018
Decided on: 01.05.2018

Gurmeet Puri @ Gora son of Sukhdev Puri, resident of Haripura Basti,
Sangrur.

.....Applicant-accused

Versus

State of Punjab

F.I.R. No.129 dated 01.05.2017
under Section 61 of Excise Act
Police Station: City, Sangrur

Bail application under Section 438 Cr.P.C.

Present: Shri Kuldeep Singh, Adv., counsel for applicant.
Shri Mahesh Goyal, Addl. P.P for the State.

ORDER:-

1. This order shall dispose of an application having been filed by applicant-accused, Gurmeet Puri @ Gora, aforesaid, seeking his anticipatory bail in view of provisions of Section 438 Cr.P.C. and for issuing necessary directions to the Court of learned C.J.M., Sangrur, to release the applicant-accused on bail in the event of his appearance in above noted case.
2. Learned counsel for the applicant-accused has argued that on 09.06.2017, applicant-accused could not attend the proceedings of case-remand papers due to the reason that he had no knowledge about the same

nor his counsel told him to put in appearance before the learned trial Court. Resultantly, the learned trial Court cancelled the bail bonds of the applicant-accused and issued nonailable warrants against him. Thus, the applicant-accused apprehends his arrest. With this, he submitted that applicant is ready to join trial proceedings and abide by the conditions imposed by the Court and prayed for grant of anticipatory bail to applicant-accused.

4. Notice of the bail application was issued to State and the record was requisitioned. Learned Additional P.P appeared on behalf of State and opposed the bail application.

5. I have heard and considered the submissions of both the sides and gone through the record of the trial Court.

6. Perusal of record/remand papers of learned trial Court shows that applicant-accused was granted bail in the present case vide order dated 03.05.2017 and he had also furnished his bail bonds and surety bonds on the same day. But he absented himself from the proceedings before learned trial Court on 09.06.2017 due to which his nonailable warrants were ordered to be issued for 29.07.2017 and then for 29.09.2017, 30.11.2017, 03.02.2018, 16.04.2018 and for 03.07.2018. The record further shows that till date, neither bail order of the applicant-accused was cancelled nor his bail bonds and surety were forfeited to the State and to procure his presence, only his nonailable warrants were issued. Thus, during the subsistence of bail order dated 03.05.2017 of the learned trial Court, the present bail application is not

maintainable before this Court and the same is hereby dismissed. The applicant-accused is directed to surrender before the learned trial Court and move an appropriate application before the said learned Court. The application stands disposed of without expressing any opinion on the merits of case. Trial Court record along with copy of this order be sent back forthwith. File of bail application be consigned to the record room.

Announced in open Court.

May 01, 2018

Rajinder Singh, Stenographer Gr-II

(Gaurav Kalia),
Additional Sessions Judge,
Sangrur.
Unique Identification No.PB-0517