

**IN THE COURT OF JASWINDER SINGH,
ADDITIONAL SESSIONS JUDGE, GURDASPUR.**

Bail application No.219/18.04.2019.

CIS No.BA/1039/2019.

Date of decision:30.04.2019.

Balbir Singh son of Amrik Chand, resident of Prem Nagar, Bohranwala,
Batala, Tehsil Batala, District Gurdaspur.

.....Petitioner/ Accused.

Versus

State of Punjab.

.....Respondent.

FIR No. 18 dated 18.09.2017

Under Section 409, 420, 468, 471, 120-B IPC & 13(1)
(d) read with 13(2) PC Act.

P.S. Vigilance Bureau Amritsar.

1st application under Section 438 Cr.P.C. for granting
Anticipatory Bail.

.-.-.-.-.

Present: Shri S. S. Basra, Adv, counsel for petitioner.
Shri Kiran Kumar, Additional P.P for respondent-State.

ORDER

1. This order of mine shall dispose of an application filed by
above petitioner for grant of bail under Section 438 of Cr.P.C.

2. Upon notice, learned Additional P.P. appeared and contested
the bail application. Lower Court record was also requisitioned.

3. Brief facts of the case are that present FIR was registered
against the petitioner and co-accused. Petitioner was admitted to bail.
When the remand papers were pending before the learned Ilqa
Magistrate awaiting the presentation of challan, petitioner absented from
the court on 22.02.2019, so his bail was cancelled and he was summoned

through non bailable warrants. Hence, petitioner filed the present bail application.

4. I have heard rival contentions of learned counsel for petitioner as well as of learned Additional Public Prosecutor for State.

5. The perusal of record shows that before 22.02.2019, the petitioner was regularly appearing before the learned Illaqa Magistrate. Keeping in view the fact that petitioner is not a habitual absentee and the reasons mentioned in the application for his absence on 22.02.2019, this court is of the view that the benefit of pre-arrest should be extended to the petitioner. Hence, present application is hereby allowed and the petitioner is directed to surrender before the learned Chief Judicial Magistrate/Duty Magistrate within 10 days of this order and on his doing so, he shall be admitted to bail on his furnishing bail bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate. Lower Court record be returned forthwith coupled with a copy of this order. Record of present bail application be consigned to the record room.

Pronounced
30.04.2019

Gurpreet Singh,
Stenographer-III

(Jaswinder Singh),
Additional Sessions Judge,
Gurdaspur (UID No. PB0516)