

Kulwinder Singh and anr. vs State BA CIS No.190 of 25.1.2019
CNR No. PBH0010035632019

Present: Shri JS Sidhu, Advocate counsel for applicants
Shri Rajinder Singh, Addl. PP for the State

1. Record of trial court received.
2. Heard.
3. Applicants-accused have sought pre arrest bail in FIR No.217 dated 3.10.2017, under Section 323, 354B, 506, 34 IPC, PS Tanda, District Hoshiarpur.
4. Perusal of record of trial court reveals that applicants-accused, who were on regular bail and were facing trial before the learned trial Court, absented from the court proceedings on 23.1.2019, pursuant to which their bail order was cancelled and bail/ surety bonds were forfeited to the State. Now nonailable warrants for their arrest have been issued by the learned trial court. The next date before the learned trial court is 18.3.2019.
5. Applicants-accused have prayed that their absence was neither willful nor intentional but it was due to wrong noting of date of hearing before the learned trial court.
6. Keeping in mind the fact that applicants-accused have absented from the proceedings of learned trial court for one date and thereafter immediately rushed to the Court on coming to know about their mistake and the fact that their absence does not appear to be intentional, applicants-accused are directed to surrender before the learned trial Court/duty Magistrate within 15 days from today and to move application for regular bail before the learned trial Court/Duty Magistrate, which shall be decided on the same day, without prejudice to the provisions of Section 446 Cr.P.C.

7. Bail application stands disposed of accordingly. Record of trial Court be sent back along with copy of this order. File be consigned to the record room.

Announced: 7.2.2019

baljinder

(Priya Sood)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0065