

**IN THE COURT OF SHRI PUSHVINDER SINGH, UID No.PB0116 ,
ADDITIONAL SESSIONS JUDGE, AMRITSAR,**

BAIL APPLICATION NO. : 1787 of 2019
CNR NO. : PBAS01-010770-2019
DATE OF INSTITUTION : 02.04.2019
DATE OF ORDER : 27.05.2019
NEXT DATE : 31.05.2019

STATE Vs Nirmal Singh son of Kunan Singh resident of Jonsh

Hasampura, Jasterwal, District Amritsar

APPLICANT-ACCUSED

FIRST INFORMATION REPORT NO. : 69 of 2017

UNDER SECTIONS : 419/420/467/468/471/120-B IPC

POLICE STATION : Ajnala, Amritsar

Ist Bail application under section 438 Cr.P.C for the grant of anticipatory bail.

PRESENT:-Sh. Kashmir Singh Buttar, Counsel for applicant-accused.

Sh. Onkardeep Singh Malhi, Addl.P.P. for the State.

ORDER

1. This application has been filed by applicant-accused Nirmal Singh, aforesaid, for anticipatory bail application stating that he did appear before learned trial Court on 17.10.2018 and an exemption application was moved on his behalf, which was allowed by learned trial Court. The clerk of counsel for accused has noted the next date as 01.12.2018 and also informed

the applicant-accused who came to the office of his counsel on 01.12.2018, who informed him that trial Court has cancelled his bail bonds on account of non appearance of the accused. The absence of the applicant-accused on the said day, is neither intentional nor willful.

2. Notice of bail application was issued to the State. Learned Addl.P.P appeared on behalf of the State and opposed the bail application. Trial Court record has been requisitioned.

3. I have heard learned counsel for the applicant-accused, learned Additional Public Prosecutor for State and gone through the file.

4. From the perusal of the file of learned trial Court I find that applicant-accused was facing trial before learned trial Court for the commission of offence punishable under sections 419/420/467/468/471/120-B IPC. He was on bail granted by the Hon'ble Punjab & Haryana High Court, Chandigarh, however, on 17.10.2018, Nirmal Singh applicant-accused was not present in the Court and one application was filed by his counsel for exemption of his personal appearance, which was allowed and he was ordered to be produced on 01.11.2018, but on 01.11.2018 he did not appear before learned trial Court and as such, the bail bonds furnished by him were ordered to be cancelled, and non-bailable warrants were ordered to be issued against him. From the perusal of the order dated 01.11.2018 passed by learned trial Court I find that bail order passed in favour of the applicant-accused was never cancelled and only bail bonds furnished by him were cancelled. Even otherwise, the applicant-accused has come present with the plea that clerk of his counsel noted the wrong date, as such he could not

appear before learned trial Court. I find that applicant-accused should be given an opportunity to improve his conduct and as such he is directed to appear before learned trial Court within 5 days and on doing so, he shall be released on bail by learned trial Court on furnishing fresh personal bail bond and surety bond as per its own satisfaction.

5. Now to come up on 31.05.2019 for further proceedings. Trial Court file be returned back immediately alongwith copy of this order for compliance. Lower Court is further directed to send its report regarding appearance of applicant-accused on the next date of hearing.

PRONOUNCED IN OPEN COURT.

DATED : 27.05.2019

***(PUSHVINDER SINGH)
ADDITIONAL SESSIONS JUDGE,
AMRITSAR
UID No.PB0116***

Naresh Kumar
Stenographer(Grade-II)

I attest to the accuracy
and the authenticity
of this document