

Ravinder Singh Vs. State of Punjab BA No. 233-2019 CNR
NO.PBROO-100-1044-2019.

Present: Mr. S.S.Panesar, Advocate, counsel for the
applicant-accused.
Mr. S.S.Saini, Additional Public Prosecutor
for the respondent State.

This application under Section 438 of the Code of Criminal Procedure for grant of pre arrest bail was filed by bail applicant-accused Ravinder Singh on 05.03.2019. Upon notice, the learned Additional Public Prosecutor appeared on behalf of the respondent State and contested the bail application. Trial Court record was requisitioned and has been received.

2. Arguments heard. Record perused. F.I.R. bearing No.39 dated 19.03.2015 under Sections 498, 342 of IPC and Section 67, 71 of I.T. Act,2000 was registered at Police Station Anandpur Sahib against the applicant-accused on the complaint of Daljit Kaur wife of applicant-accused that he was subjected the complainant to cruelty on the demand of dowry.

3. On appearance of the applicant-accused he was released on bail and the applicant-accused was charged. Thereafter the case was fixed for evidence of prosecution. But on 26.02.2019 the applicant-accused did not appear before the learned trial Court. His bail order was cancelled and his bail bonds/surety bonds were forfeited to the State.

4. Now through the present application, pre arrest bail has been sought by bail applicant/accused Harinder Singh on the ground that in the present case he could not come present before the learned trial Court on the date fixed i.e. 26.02.2019 due to ailment and doctor advised him for proper bed rest. In this regard, the applicant-accused has also placed on record medical certificate issued by the doctor. His absence from the Court was not intentional.

5. From the perusal of the file, it reveals that before absents from the court on 26.02.2019, the applicant-accused has been regularly appearing before the learned trial court. When he came to know about the cancellation of his bail, he immediately filed the instant bail application. His absence from the trial Court seems to be genuine and unintentional. Hence, the instant application is allowed and the bail-applicant/accused is directed to surrender before the trial Court within 10 days from today and if he does so, he

shall be released on bail on his furnishing bail bonds to the satisfaction of the Area/Duty Magistrate. Trial Court record be returned along with the copy of this order. Bail application be consigned to the Record Room.

Pronounced in open Court.

Dated: 12.03.2019.

**(Surinder Pal Kaur),
Additional Sessions Judge,
Rupnagar.(UID No.PB0089)**

Ajay Mehta
Stenographer Gr-I.