

REVISED PROCEEDINGS

ITEM NO.65

COURT NO.14

SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2362/2013

(From the judgement and order dated 14/01/2013 in CRLM
No.340/2013, of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JOGA SINGH

Petitioner(s)

VERSUS

STATE OF U.T. CHANDIGARH
(With office report)

Respondent(s)

Date: 12/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE RANJAN GOGOIFor Petitioner(s) Mr. Himanshu Gupta, Adv.
Mr. Anil Kumar Tandale, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This special leave petition has been filed to set aside the impugned order dated 14th January, 2013 passed by the Punjab and Haryana High Court at Chandigarh in Criminal Misc. No.M-340 of 2013. The High Court by the impugned order dismissed the application for anticipatory bail.

Admittedly, the petitioner was charged under Sections 448, 419, 420, 467, 468, 471, 120-B IPC in connection with FIR No.186 of 2008 dated 23rd September, 2008 registered at Police Station Sector 3, Chandigarh and facing trial. He was granted bail by the court. However he absented on 21st November, 2012 and hence his bail bonds were cancelled by the trial Court and his presence was ordered to be secured by issuing non-bailable warrants. Faced with these circumstances, the petitioner filed the application for anticipatory bail firstly before learned Additional Sessions Judge but having not granted any relief, moved before the High Court.

Earlier when this petition came up for hearing before this Court on 21st March, 2013, the court while issuing notice passed the following order:

"Taken on Board.

Issue notice.

During the pendency of the special leave petition, in case the petitioner appears before the Court in seisin of the case, he shall be released on provisional bail on furnishing bail bonds of Rs.30,000/- with two sureties of the like amount each to the satisfaction of the court concerned."

In spite of notice issued, nobody appeared on behalf of the respondent. Having regard to the facts and circumstances of the case, we set aside the impugned order dated 14th January, 2013 passed by the High Court and modify the order of the trial Court dated 21st November, 2012. The interim order dated 21st March, 2013 passed by

this Court will continue till the completion of the trial but subject to appearance of the petitioner before the trial Court.

The special leave petition stands disposed of.

| (Anita Malhotra) | | (USHA SHARMA) |
| Sr.PA | | COURT MASTER |

ITEM NO.65 COURT NO.14 SECTION IIB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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(From the judgement and order dated 14/01/2013 in CRLM No.340/2013, of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JOGA SINGH Petitioner(s)

VERSUS

STATE OF U.T. CHANDIGARH Respondent(s)

(With office report)

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CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Himanshu Gupta, Adv.
Mr. Anil Kumar Tandale, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This special leave petition has been filed to set aside the impugned order dated 14th January, 2013 passed by the Punjab and Haryana High Court at Chandigarh in Criminal Misc. No.M-340 of 2013. The High Court by the impugned order dismissed the application for anticipatory bail.

Admittedly, the petitioner was charged under Sections 448, 419, 420, 467, 468, 471, 120-B IPC in connection with FIR No.186 of 2008 dated 23rd September, 2008 registered at Police Station Sector 3, Chandigarh and facing trial. He was granted bail by the court. However he absented on 21st November, 2012 and hence his bail bonds were cancelled by the trial Court and his presence was ordered to be secured by issuing non-bailable warrants. Faced with these circumstances, the petitioner filed the application for anticipatory bail firstly before learned Additional Sessions Judge but having not granted any relief, moved before the High Court.

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each to the satisfaction of the court concerned."

In spite of notice issued, nobody appeared on behalf of the respondent. Having regard to the facts and circumstances of the case, we set aside the impugned order dated 14th January, 2013 passed by the High Court and affirm the order of the trial Court dated 21st November, 2012. The interim order dated 21st March, 2013 passed by this Court will continue till the completion of the trial but subject to appearance of the petitioner before the trial Court.

The special leave petition stands disposed of.

| (Anita Malhotra)
| Sr. PA

| | (USHA SHARMA)
| | COURT MASTER

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