

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

**CRM-M No. 23963 of 2014  
Date of decision : 31.07.2014**

**Gagan Chadha**

**...Petitioner**

**Versus**

**U.T. Chandigarh**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR**

Present: Mr. J.S. Bedi, Senior Advocate with  
Mr. Simar P.S. Barnala, Advocate  
for the petitioner.

Mr. Sukant Gupta, Advocate  
for U.T., Chandigarh.

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**Mehinder Singh Sullar, J. (Oral)**

Petitioner-Gagan Chadha son of Gurnam Singh Chadha, has preferred the instant petition for the grant of concession of anticipatory bail, in a case registered against him, vide FIR No. 76 dated 02.05.2011, on accusation of having committed an offence punishable under Section 24 of Immigration Act, 1983 and Section 120-B IPC, by the police of Police Station Sector 26, Chandigarh.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after deep consideration of the

entire matter, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on July 18, 2014:-

*"Learned counsel, inter alia, contended that the petitioner was earlier granted the concession of anticipatory bail, vide order dated 31.10.2011 (Annexure P-1), by the Additional Sessions Judge, Chandigarh and was regularly attending the proceedings in the trial Court. Subsequently, he could not appear in the trial Court, on account of his severe lower back pain and medical condition of his father who is suffering from schizophrenia. He accordingly informed his counsel. He neither appeared nor moved any application for exemption of his personal presence in this regard. The trial Court cancelled his bail bonds and issued nonbailable warrants against him. The argument is that the absence of the petitioner on the indicated dates was not intentional but due to the reasons beyond his control.*

*Heard.*

*Notice of motion be issued to the respondent, returnable for 31.07.2014.*

*Meanwhile, the petitioner is directed to appear/surrender before the next date of hearing and the trial Court would admit him to interim (provisional) bail, on his filing a specific affidavit that he will regularly attend the proceedings in the trial Court in future and furnishing adequate bail and surety bonds to its satisfaction."*

5. At the very outset, learned counsel has placed on record the certified copy of the order dated 19.07.2014, which would reveal that petitioner has already appeared/surrendered and the bail & surety bonds

furnished by him, in pursuance of the pointed order of this Court, were attested and accepted by the trial Court.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for anticipatory bail is accepted and the interim (provisional) bail already granted to the petitioner, by virtue of indicated order by this Court, is hereby made absolute.

7. Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for pre-arrest bail.

31.07.2014

*sumit.k*

(**Mehinder Singh Sullar**)  
Judge