

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.01.29 15:25
I attest to the accuracy and
authenticity of this document

CRM No. M-2314 of 2015 (O/M)
Date of decision : 22.1.2015

Gulshan Rai

..... Petitioner

Versus

Karamjit Kaur

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Deepak Gupta, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

This petition has been filed by the petitioner for grant of anticipatoryf bail. It is stated that accused/petitioner absented himself from the trial Court on 4.9.2014 in a criminal complaint filed under Section 138 of the Negotiable Instruments Act, 1881 and the trial Court issued the non-bailable warrants after forfeiting his (petitioner's) bail bond and surety bond. Thereafter, the accused/petitioner approached the Court of the learned Additional Sessions Judge, SAS Nagar (Mohali), which also dismissed his plea for anticipatory bail. The relevant extract from the order dated 25.11.2014 (Annexure-P-2), showing the conduct of the petitioner is

reproduced as under :-

“6. The applicant was summoned to face trial vide order dated 24.5.2013, but notice was received back with the report that he is avoiding service. Thereafter, bailable warrants were issued against him, but he failed to appear. Eventually, non-bailable warrants were issued against him, vide orders dated 7.12.2013 and 18.1.2014. Finally, the applicant surrendered before the learned trial Court on 5.2.2014 and was released on bail. On the next date, an exemption application was filed, which was allowed and the case was fixed for 19.7.2014. Again on 19.7.2014, application for exemption was filed, which was dismissed by the Ld. trial Court, as charge was to be framed. The applicant appeared and charge was framed. But on the next date, the applicant absented himself without any intimation. His bail bonds were cancelled and surety bonds were forfeited. Non-bailable warrants were eventually issued by Ld. trial Court, vide orders dated 4.9.2014 and 3.11.2014.”

It shows the defiant attitude of the accused/petitioner towards the Court. In these circumstances, no indulgence of this Court is required to grant any relief to the accused/petitioner. The accused/petitioner is directed to surrender before the trial Court and explain the circumstances under which he remained absent and seek regular bail.

Dismissed.

(KULDIP SINGH)
JUDGE

22.1.2015
sjks