

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-2912 of 2015

Date of Decision: January 29, 2015

Lalit

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.S.K. Bawa, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Having absented on July 21, 2014 when two doctors had come present, the bail bonds of the petitioner were cancelled. Apprehending arrest, this petition has been filed.

Taking into consideration the conduct of the petitioner having prejudiced the trial by non-appearance, the Sessions Court has dismissed his application for pre-arrest bail.

It is felt that by allowing the application of exemption from personal appearance, the trial Court could have examined the witnesses in

presence of counsel for the petitioner on July 21, 2014 as per the provisions of Section 273 (2) Cr.P.C.

Be that as it may, the petitioner can be penalized with cost of adjournment as per provisions of Section 309 Explanation 2 Cr.P.C. It is ordered that the petitioner will appear on the next date of hearing and deposit a cost of Rs.10000/- for compensation to the witnesses who appeared on July 21, 2014 which will be distributed to the witnesses. In case of petitioner's doing so, he will be released on bail on his furnishing bail bonds/ surety bonds on his appearance on said date or any other date convenience to the trial Court subject to the condition that the petitioner will not absent himself without any reasonable cause during the entire period of trial and will not hamper the proceedings.

Disposed of in limine.

Cost can be distributed equally to the witnesses by the Court.

January 29, 2015
sanjay

(M.M.S.BEDI)
JUDGE