

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-2520 of 2016

Date of Decision: January 25, 2016

Kulbir Singh

.....Petitioner

Vs.

Harchand Singh

.....Respondent

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

-.-

Present:- Mr.Karan Bhardwaj, Advocate
for the petitioner.

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

At the stage of recording of statement under Section 313 Cr.P.C. in proceedings under Section 138 of the Negotiable Instruments Act, the petitioner absented after recording his statement under Section 313 Cr.P.C. on October 6, 2015 resulting in cancellation of his bail bonds and apprehension of arrest.

Taking into consideration the stage of the trial and the reasons put-forth by the petitioner for non-appearance, I deem it appropriate to dispose of this petition in limine in order to prevent further harassment and expenditure to the complainant. Striking a balance between the right of

liberty of the petitioner and the right of complainant for expeditious disposal of the complaint, this petition is disposed of in limine and it is ordered that the petitioner will put in appearance before the trial court on next date of hearing alongwith a bank draft of Rs.10000/- in the name of the complainant which will be deemed to be cost for adjournments granted on account of non-appearance of the petitioner. It would be deemed to be cost under Section 309 Explanation 2 Cr.P.C. In case of petitioner appearing before the Court alongwith said bank draft, the trial Court shall release the petitioner on bail on his furnishing bail bonds/ surety bonds to its satisfaction.

Since this petition has been disposed of in limine, in case the complainant is not satisfied with the order, it will be open to him to approach this Court for recalling of the order.

January 25, 2016
sanjay

(M.M.S.BEDI)
JUDGE