

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

(140)

CRM-M-26183-2016

Decided on: September 16, 2016.

Sachin

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. S.S. Goraya, Advocate, for the petitioner.

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

While on bail, the petitioner absented on 22.04.2016 as a result of which his bail bonds were cancelled, raising an apprehension of arrest.

It appears that on account of non-appearance of the petitioner and other accused, inconvenience was caused not only to the prosecution agency but the witnesses as order dated 22.04.2016 indicates that PW HC Jaswinder Singh and Lakhwinder Singh were present on said date.

Notice to Advocate General, Punjab.

On asking of the Court, Ms. Harpreet Kaur Athwal, DAG, Punjab, present in the Court, accepts notice. Copy given.

Learned counsel for the petitioner has relied upon a medical certificate indicating that the petitioner is undergoing medical treatment for de-addiction and he on the date of hearing was not well to appear in the Court.

Taking into consideration the peculiar circumstances of the case, in the interest of justice and expeditious disposal of the trial, I deem it appropriate to decided this petition in limine.

Without entering into the reasonableness of the ground of non-appearance of the petitioner, in the interest of expeditious disposal of the trial, it is ordered that the petitioner will appear before the trial Court on 26.09.2016 and on his doing so he will be released on bail on his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court. Petitioner will also deposit a total sum of Rs.1000/- before the trial Court for PW HC Jaswinder Singh and Lakhwinder Singh. The said cost will be deemed to be a cost of adjournment under Section 309 Explanation 2 Cr.P.C.

The petition is allowed in the above terms.

It is made clear that in case of non-appearance of the petitioner or compliance of the order, this petition will be deemed to have been dismissed.

(M.M.S. BEDI)
JUDGE

September 16, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No