

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

104

CRM-M-28566-2016 (O&M).
Decided on: August 19, 2016.

Parminder Singh @ Jhota

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

* * *

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

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**PRESENT Mr.B.S.Jatana, Advocate,
for the petitioner.**

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

Petitioner absented on 23.1.2015 and was declared a
proclaimed offender on 8.7.2015.

Counsel for the petitioner submits that the co-accused of
the petitioner have been acquitted.

A perusal of the order of acquittal passed on 8.7.2015,
indicates that the trial Court has adopted a casual approach in observing that
a period of 30 days had passed but the petitioner had failed to appear in the
Court despite the fact that he had been served through proclamation.

Counsel for the petitioner has not been able to fairly
justify the reason for non-appearance except that the petitioner had been
appearing in another case pending before another Court in Mansa.

Notice to the Advocate General, Punjab.

On asking of the Court, notice has been accepted by
Ms.H.K.Athwal, DAG., Punjab, present in the Court. Copy given.

Striking a balance between the right of personal liberty of the petitioner and the statutory obligation under Section 82 Cr.P.C., I am of the opinion that in case the petitioner is given an opportunity to appear before the Court and furnish fresh bail bonds, the interests of justice would be adequately met. Counsel for the petitioner undertakes that the petitioner will surrender before the trial Court and face the trial.

This petition is disposed of in limine with a direction that the petitioner will put in appearance before the Illaqua Magistrate/Chief Judicial Magistrate, Mansa, on 16.9.2016, along with an application for bail. Notice of the said application will be given to the State for 19.9.2016 and the petitioner will be released on bail on 19.9.2016, on his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned Court.

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

(M.M.S. BEDI)
JUDGE

August 19, 2016.
rka

Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No