

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

(105)

CRM-M-40320-2016

Decided on: November 11, 2016.

Pardeep Kumar Nevatia

.... Petitioner

Versus

State of Punjab and another

..... Respondents

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

Present: Ms. Sonika Garg, Advocate, for the petitioner.

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

Having absented on 01.08.2016 in a private complaint under Section 138 of the Negotiable Instruments Act, the bail bonds of the petitioner, have been cancelled by the trial Court.

Learned counsel for the petitioner relies upon the medical record of Manipal Hosptial, in support of her contention that the daughter of the petitioner was not well.

Without expression of any opinion on merits and reason for non-appearance, in the interest of justice, I deem it appropriate to give an opportunity to the petitioner to appear before the trial Court for expeditious disposal.

Notice to Advocate General, Punjab.

On asking of the Court, Ms. Simsi Dhir Malhotra, DAG, Punjab, present in the Court, accepts notice. Copy given.

On asking of the Court, learned counsel for the petitioner informs that the case was fixed for defence evidence on 01.08.2016.

In order to avoid unnecessary expenses by the complainant, I deem it appropriate to dispose of this petition in limine enabling the petitioner to appear in the Court and simultaneously compensating the complainant for the delay caused on account of act of the petitioner.

This petition is disposed of with a direction that the petitioner will put in appearance before the trial Court within a period of fifteen days along with a bank draft of Rs.10,000/- in the name of the complainant. In case of petitioner doing so, he will be released on bail to the satisfaction of the trial Court. The bank draft will be handed over to the complainant as compensation for unnecessary harassment in adjournment and would be deemed to be cost of adjournment under Explanation 2 Section 309 Cr.P.C.

(M.M.S. BEDI)
JUDGE

November 11, 2016

harsha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No