

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45990-2016

Date of decision: December 23, 2016.

Heera Masih

... **Petitioner**

v.

State of Punjab and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mrs. G.K. Mann, Advocate for the petitioner.

Shri K.S. Sidhu, Assistant Advocate General, Punjab.

A.B. Chaudhari, J. (Oral):

Rule. Heard forthwith with the consent of Learned Counsel for the rival parties. Service is waived of by Learned Counsel for the State.

What is challenged in the present petition is the order dated 18.1.2016 passed by JMIC, Gurdaspur in FIR No.130 dated 26.9.2013, under Sections 295, 295-A IPC and Sections 3 & 4 of Cow Slaughter Act, 1955, registered at PS Kalanaur, District Gurdaspur.

Learned Counsel for the petitioner submits that indeed the petitioner was absent when the case was called out by the trial court. She also fairly states that the case is now fixed for evidence and the petitioner-accused would like to contest the prosecution by regularly appearing before the trial court and would not hereinafter fail to attend the trial court. She submits that the petitioner would also furnish an undertaking before the trial court to the effect that the petitioner would hereinafter appear before the

trial court with promptitude. In that view of the matter, without finding fault with the order passed by the trial court, the petitioner deserves to be given a chance to furnish bail bonds and also to participate in the prosecution.

In the result, order dated 18.1.2016 is quashed and set aside on the undertaking to be furnished by the trial court within 15 days from today. The petitioner shall appear before the trial court and furnish bail bonds to the satisfaction of the trial court and continue to appear before the trial court on each and every date of hearing with promptitude. Liberty is granted to the trial court to cancel the bail granted to the petitioner in case the petitioner fails to appear before the trial court on any date or makes any default.

Disposed of.

[A.B. Chaudhari]
Judge

December 23, 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No