

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7216-2016.

Decided on: February 29, 2016.

Sarabjit Singh

.. **Petitioner(s)**

VERSUS

State of Punjab and another

.. **Respondent(s)**

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

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**PRESENT Mr.Vishwajit Bedi, Advocate,
for the petitioner.**

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

Having absented on 12.6.2014 in proceedings under Section 138 of the Negotiable Instruments Act, bail bonds of the petitioner have been cancelled.

Counsel for the petitioner submits that on account of father of the petitioner having suffered a paralytic attack, he was unable to appear on said date.

The petitioner has been able to harass the private respondent No.2 for a long duration of period. His absence has caused further inconvenience to him by delaying the proceedings which arise out of a cheque of Rs.15 lacs, which stood dishonoured on presentation.

Without expression of any opinion regarding the reasons for non-appearance on 12.6.2014, I deem it appropriate to dispose of this petition by giving a fair opportunity to the trial Court to proceed with the trial and simultaneously compensating the complainant who has unnecessarily been harassed.

This petition is disposed of in limine with a direction that the petitioner will put in appearance before the trial Court on next date of hearing fixed before the trial Court. In case of petitioner doing so, he shall be released on bail to the satisfaction of the trial Court subject to petitioner presenting a bank draft in the name of the complainant for a sum of Rs.10,000/- which will be handed over to the complainant as costs/compensation for adjournment as per the provisions of Section 309, Explanation 2, Cr.P.C.

It is made clear that in case the petitioner does not comply with this order, this petition will be deemed to have been dismissed.

It is observed here that this petition has been decided in limine in order to prevent the complainant from further harassment of litigation in the High Court. However, in case this order is not acceptable to the complainant, it will be open to the complainant to approach this Court for review of the order.

(M.M.S. BEDI)
JUDGE

February 29, 2016.
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