

CRM-M-9033-2016 (O&M)

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

**CRM-M-9033-2016 (O&M)
Decided on: March 15, 2016.**

Jarnail Ram @ Churi @ Chuhri

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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

**PRESENT Mr.Kashmir Singh, Advocate,
for the petitioner.**

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

The petitioner having absented on 10.2.2016, during pendency of the trial, the trial Court cancelled his bail and ordered forfeiture of the bail bonds/surety bonds. Next date of hearing before the trial Court is stated to be 17.3.2016.

Counsel for the petitioner submits that non-appearance of the petitioner on 10.2.2016, was a bona fide mistake on account of misunderstanding regarding the date of hearing.

Petitioner appears to have neither approached the trial Court with an explanation for non-appearance nor he has moved any application before the Sessions Judge under Section 438 Cr.P.C.

Taking into consideration, the totality of above said circumstances, I deem it appropriate to dispose of this petition in limine.

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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.

This petition is disposed of with a direction that the petitioner will appear before the trial Court on 17.3.2016 offering to furnish fresh bail bonds explaining the circumstances for non-appearance on 10.2.2016. In case the trial Court is satisfied with the explanation offered by the petitioner also taking into account the previous conduct of the petitioner, it will be open to the trial Court to accept fresh bail bonds and release the petitioner on bail on his offering bail bonds/surety bonds. In case the trial Court is not satisfied with the reasonableness of the reasons offered, the petitioner will not be arrested for a period of next 7 days in order to enable him to avail the appropriate legal remedy by approaching the competent Court for relief under Section 438 Cr.P.C.

March 15, 2016.
rka

(M.M.S. BEDI)
JUDGE