

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

Crl. Misc. No.M-1102 of 2017 (O&M)
Date of Decision: March 09, 2017

Jaspal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. APS Deol, Senior Advocate with
Mr. Vishal R. Lamba, Advocate, for the petitioner.
Mr. Vikas Chopra, DAG, Haryana

Amol Rattan Singh, J. (Oral)

Pursuant to the order dated 01.03.2017, the Superintendent of Police, Fatehabad, is present in Court and learned State counsel has filed his reply to the notice of contempt issued by this Court, as to why he was not present in Court despite having been summoned on the last date of hearing and even if there was compelling circumstance for him to have not been present, why an application for exemption was not filed.

On query put to the Superintendent of Police, he has apologized and as stated in his reply, has said that he was not able to come to Court in view of the on going agitation in the State, including the District in his charge.

Though correctly at least an application should have been moved, however, in view of the fact that a valid explanation and apology have been tendered, the rule is discharged.

As regards this petition seeking bail to the petitioner, it is not denied that the moveable property lying in the premises of the factory in question has also been attached, towards discharge of the liability that the

company in which the petitioner was an employee, owes to some banks. However, keeping in view the fact that the petitioner was only taken to be an employee of the company and has been in custody for the past three months and 10 days, with the 'challan' just having been presented and he is also stated to be a permanent resident of Tohana, it is considered appropriate to allow this petition. .

Consequently, the present petition is allowed. The petitioner would be enlarged on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court, subject to his continuing to appear before that Court as and when summoned.

March 09, 2017
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: yes
Whether reportable: no