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

CRM-M-14583 of 2017

Date of decision: April 28, 2017

Sonu @ Challa

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Amandeep Singh, Advocate for the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mrs. Rajni Gupta, Addl. AG
Punjab accepts notice on behalf of the State.

Rule. Head forthwith with the consent of learned counsel
for the rival parties.

Petitioner was granted bail in a pending trial in FIR No.82
dated 26.04.2016, under Sections 307, 324, 148, 149 of Indian Penal
Code, 1860 (for short 'IPC') (Section 326 IPC added later on),
registered at Police Station Shimlapuri, District Ludhiana. Petitioner
did not appear before the trial Court on 10.04.2017 nor any application
was moved explaining his absence. Thus Court, therefore, issued non-
bailable warrants.

Learned counsel for the petitioner submits that the
petitioner was suffering from viral fever. He submits that the petitioner
would appear before the trial Court hereinafter and would not make

any default in appearance and therefore, he should be given a chance to continue at liberty during trial.

Without finding any fault with the order of the trial Court, in my opinion, the petitioner should be given a chance to continue to appear before the trial Court providing petitioner will appears with promptitude and will not make any default in appearance, subject to costs in the sum of ₹2,000/- to the State of Punjab. Hence, the following order is passed:-

ORDER

- (i) Petitioner is allowed;
- (ii) Impugned order dated 10.04.2017 is set aside. Petitioner shall continue to be on bail on the same terms and conditions as before the trial Court, subject to costs in the sum of ₹2,000/- with the trial Court;
- (iii) If the petitioner makes any default, the trial Court would be able to order to take the petitioner in custody.

(A.B. CHAUDHARI)
JUDGE

April 28, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No