

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

CRL. MISC. No.M-22486 OF 2017 (O&M)
DATE OF DECISION : 10th JULY, 2017

Charan Singh & others

.... Petitioners

Versus

State of Punjab

.... Respondent

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

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Present : Mr. Kushagra Mahajan, Advocate for
 Mr. Arjun Veer Sharma, Advocate for the petitioners.
 Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

Rule.

Heard forthwith with consent of counsel for the rival parties.

The petitioners have been facing trial before the trial Court in FIR No.87 dated 15.05.2014 registered under Sections 323, 324, 148 & 149 IPC at Police Station Sidhwan Bet, District Ludhiana. The petitioners remained absent before the trial Court on about five dates and thus resulting into obstruction in the trial.

The trial Court had no alternative except issuing non-bailable warrants in order to secure the presence of the petitioners, for continuation of the trial.

Learned counsel for the petitioners makes statement, on instructions from the petitioners, that the petitioners hereinafter would appear before the trial Court with promptitude and would cooperate for disposal of the trial.

In my opinion, looking to the nature of the offence, it would not be appropriate to detain the petitioners in custody till the competition

of the trial, particularly because the counsel for the petitioners had made statement on behalf of the petitioners that they would not hereinafter fail to appear before the trial Court. However, the petitioners will have to pay some costs by way of compensation to the State.

Thus, without finding any fault with the order of the trial Court, I am inclined to pass the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-22486 OF 2017 is allowed.
- (iii) The petitioners are granted anticipatory bail in the present FIR on the bail bonds earlier submitted by them, subject to deposit of ₹1,000/- each with the trial Court to be forfeited to the State.
- (iv) The petitioners shall continue to appear before the trial Court with promptitude till the completion of trial.
- (v) Any further failure on the part of the petitioners shall result into trial Court taking them in custody.

Disposed of accordingly.

10th JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>