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

CRM-M-22840-2017

Date of Decision: 29.06.2017

Om Parkash

..... Petitioner

Versus

Rajesh Kumar and another

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. M.S. Saini, Advocate for
Mr. Rohit Chandel, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

1. The petitioner in this case was convicted for the offence under Section 138 of the Negotiable Instrument Act. He preferred an appeal against the judgment of conviction which was pending in the Court of the Ld. Additional Sessions Judge, Bathinda. On 26th May, 2017, he was absent from the proceedings without any intimation on account of which a non-bailable warrant of arrest was ordered to be issued against him.

2. It is the contention of the petitioner that his absence was unintentional as there was some mistake in the matter of noting the scheduled date in the Appellate Court. It now transpires that the date awaiting execution of the processes issued against the petitioner is 28.07.2017.

3. In the given circumstances, this petition is disposed of with a liberty to the petitioner to surrender before the Ld. Appellate Court within a fortnight which shall grant him fresh bail on appropriate terms and

conditions to its discretion.

4. It is further observed that this is an opportunity granted to the petitioner in the interest of justice at this stage, and he may not expect such indulgence in future.

29.06.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No