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

CRM-M-32678 of 2017

Date of decision: September 05, 2017

Malkiat Singh @ Malki

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Vipin Mahajan, Advocate the petitioner.

A.B. CHAUDHARI, J (Oral)

Rule. Heard forthwith. Mr. Sandhu waives service.

Admittedly, the petitioner was released on regular bail by the learned trial Court. Thereafter, the petitioner joined the trial. The petitioner attended the trial for some time, but then at the relevant date, he absented only on one occasion on 17.07.2017. As a result of non-appearance, obviously, the petitioner had put an obstruction in the progress of the trial. The trial court, therefore, cancelled the bail and issued the arrest warrants by impugned order dated 17.07.2017.

In my opinion, since it is not shown by the prosecution that he had committed any offence while on bail and since he was already on bail and without finding any fault with the trial court's order, the petitioner deserves to be given a last chance for being at liberty for facing the trial. In that view of the matter, following order is passed:-

ORDER

- (i) CRM-M-32678 of 2017 is allowed;

- (ii) Impugned order dated 17.07.2017 (Annexure P-7) is quashed;
- (iii) The petitioner shall furnish fresh bail bonds along with costs in the sum of ₹10,000/- payable to the State of Punjab;
- (iv) The petitioner shall hereinafter attend the trial court with promptitude;
- (v) Liberty is given to the trial Court, in case the petitioner remains absent, to take him into custody.

(A.B. CHAUDHARI)
JUDGE

September 05, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No