

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

CRM-M-37584-2017

Date of Decision:07.10.2017

Vishal Kumar

.....PETITIONER

V/S

State of Punjab

.....RESPONDENT

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

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

Mr.Ramandeep Singh Sandhu, Sr.DAG, Punjab.

A.B. CHAUDHARI J. (ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. for staying the execution of non-bailable warrants of arrest of the petitioner in case FIR No.55 dated 07.06.2010, registered under Sections 309, 457, 380 and 120-B IPC at Police Station Sadar Nawanshahr.

Rule heard forthwith.

State of Punjab waives service.

Admittedly, the petitioner was on regular bail in the abovesaid FIR. He absented before the trial Court and, as such, the trial was obstructed. Therefore, the trial Court cancelled his bail bonds and bail order on 07.04.2015 and was declared proclaimed offender on 24.07.2015 and in the meanwhile, the other co-accused have been acquitted vide order dated 25.04.2017 by the learned trial Court.

Considering the nature of the offence, I think there is no point in putting the petitioner in jail, as he was on bail from the year 2010. However, I find that the petitioner is responsible for obstructing the trial for no good reasons.

In that view of the matter, rule is made absolute in terms of the prayer clause. The petition is allowed and the petitioner is ordered to be released on bail subject to deposit of non-refundable Rs.10,000/- with the trial Court, as a pre-condition for furnishing fresh bail bonds to the satisfaction of the trial Court.

(A.B. CHAUDHARI)
JUDGE

07.10.2017
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No