

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 38457-2017
Date of Decision: 12.10.2017

JARNAIL SINGH AND ANR

..Petitioners

V/S

STATE OF U.T. CHANDIGARH

..Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. F.S. Virk, Advocate for
Mr. Gurminder Singh Salana, Advocate
for the petitioners.

SUDIP AHLUWALIA, J. (Oral):

Notice of motion.

On asking of the Court, Mr. Gautam Dutt, Standing counsel for UT
Chandigarh accepts notice. A copy of the paper book be handed over to him.

Petitioners were on regular bail in the Ld. Trial Court but absented
from the proceedings on a solitary date (29.07.2017). Consequently, their bail
bonds were cancelled and non-bailable warrants of arrest were issued against
them.

The petitioners' contention in this regard is that their absence was
not willful or intentional, but it was purely on account of the mistake in noting
down the date inasmuch as was noted as 29.09.2017 instead of 29.7.2017. They
were subsequently declared Proclaimed Offenders by the Ld. Trial Court on
03.10.2017.

Considering the grounds for absence disclosed in the application on

the solitary date, the prayer is allowed. Orders passed by the Ld. Trial Court are set aside, subject to the condition that the petitioners shall surrender before the trial Court within one week from today, after which they may be admitted to bail on furnishing fresh bail bonds, subject to imposition of appropriate terms and conditions.

Disposed off.

(Sudip Ahluwalia)
Judge

12.10.2017

Nisha

Whether speaking/reasoned: **Yes/No**

Whether Reportable: **Yes/No**