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

**CRM-M-39882-2017
Date of Decision: 25.10.2017**

Vijender Sharma

..... Petitioner

Versus

Chander Mukhi

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Chirag Kundu, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is the appellant in CRA-637-2014 pending in the Court of Ld. Additional Sessions Judge, Hisar has challenged the impugned order dated 12.10.2017 (Annexure P-3).

[2]. On the relevant date, the petitioner had sought personal exemption from appearance in the Ld. Court below. His prayer was rejected by the Ld. Court below and his bail-bonds were cancelled after observing inter alia that the petitioner, “is not attending Court rather by giving more weightage to his personal work. He is unnecessarily (sic) lingering the matter”. Explanation of the petitioner in this regard is that he was unable to appear on the relevant date due to untimely death of his real brother a few days before the relevant date, on account of which, he was obligated to participate in the death related rituals of the family.

[3]. Considering the grounds made out by the petitioner to justify his absence on the relevant date and also in view of the fact that the next date in the Ld. Appellate Court is stated to be fixed tomorrow itself, in the

interest of justice, the present petition is allowed and the impugned order is set aside.

[4]. The petitioner is directed to surrender before the Ld. Appellate Court tomorrow after which he may be released on fresh bail subject to the condition that henceforth he shall not absent himself from the proceeding. The Ld. Appellate Court is requested to dispose off the appeal as expeditiously as possible and preferably before the expiry of current calendar year.

[5]. Disposed off.

[6]. A copy of this order be handed over to the Ld. Counsel for the petitioner under the signature of Special Secretary of this Court.

25.10.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No