

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Crl. Misc. No.M-4083 of 2017 (O&M)  
Date of Decision: February 08, 2017

Deepak Chand

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. Rahul Bhargava, Advocate  
for the petitioner.

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**Amol Rattan Singh, J. (ORAL)**

Learned counsel for the petitioner submits that the petitioner, who had been admitted to bail by the learned trial Court on 12.12.2016 and had submitted his bail bonds the next day, did not appear on 26.12.2016, which was the next date on which he was required to appear before that Court, on account of the fact that he had noted the date wrongly, to be 27.12.2016 (as contended).

He further submits that the petitioner was not aware of the nuances of Court proceedings, it being the first criminal case registered against him, and therefore his petition may be considered sympathetically.

Though obviously it is very possible that the above argument is wholly “an excuse” for non-appearance, however, since the contention is that the petitioner absented on a single occasion, the present petition is allowed subject to verification by the trial Court that the petitioner actually had absented himself only on a single date and never earlier.

In the aforesaid circumstances, since the bails bonds were cancelled by the trial Court on the ground of non-appearance of the

petitioner, on a single occasion (as contended), it is not considered necessary to issue notice to the respondent.

In case the factual position is as depicted before this Court, the petitioner, upon surrendering before the learned trial Court, shall be admitted to bail, to the satisfaction of that Court.

However, in case the statement made before this Court is found to be incorrect, this order shall be deemed to have not been passed.

**(AMOL RATTAN SINGH)**  
**JUDGE**

February 08, 2017  
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**Whether reasoned/speaking: Yes**  
**Whether reportable: no**