

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

**CRM-M No.49657 of 2017
Date of Decision : 22.12.2017**

Balvir Singh @ Beera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Jitender S. Dadwal, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Notice of motion.

On asking of the Court, Mr. Hittan Nehra, Addl. Advocate General, Punjab accepts notice on behalf of respondent-State. A copy of the paper book be handed over to him during the course of the day.

In this petition, the petitioner seeks to challenge the impugned order dated 07.12.2017 passed by the Ld. Additional Sessions Judge, Ludhiana.

The petitioner was on regular bail in the case arising out of FIR No.135, dated 2nd October, 2015. He however absented without intimation on the aforesaid date and a non-bailable warrant

was ordered to be issued against him. His justification for such absence is that he telephonically misheard the date fixed in the Ld. Trial Court as 8th December instead of 7th December and was therefore unable to appear on the relevant date.

Without commenting on the merits of the petitioner's allegations at this stage the matter is disposed of with liberty to the petitioner to surrender before the Ld. Trial Court within a week from re-opening of the Court after the winter vacations, and apply for fresh bail.

In the meantime, operation of the impugned order *qua* the present petitioner shall remain stayed.

This order shall automatically stand vacated w.e.f. 7th January, 2018.

December 22, 2017

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No