

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

CRM-M-1647-2018

Date of decision: 17.01.2018

Kamal Sabharwal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Manoj Kumar Sood, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. for issuance of a direction for quashing order dated 11.12.2017 (Annexure P-4) vide which exemption application for appearance of the petitioner has been dismissed and non-bailable warrants have been issued against him in appeal which is pending before Addl. Sessions Judge, Faridbad.

Learned counsel for the petitioner contends that it is only on account of the ill health and surgery he had undergone that he was unable to appear before the Court in the appeal on the date fixed. He submits that the petitioner herein is ready to appear before the Court on 22.01.2018, the date already fixed.

Without going into the merits of the case and taking note of the fact that the petitioner herein is ready to appear in appeal which is pending before Addl. Sessions Judge, Faridabad, the order dated 19.12.2017 is set aside.

The petitioner is hereby directed to appear before the Court in the appeal on 22.01.2018, the date already fixed and on doing so the Court concerned shall release him on bail subject to its satisfaction.

However, it is made clear that in case the petitioner does not appear before the Court where the appeal is pending on 22.1.2018, the date already fixed, any interim protection granted today shall stand automatically vacated.

The petition stands disposed of.

17.01.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.