

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-20760-2016(O&M)

Date of Decision: 21.02.2018

Harmail Singh & another

--Petitioners

Versus

State of Punjab and another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Harish Goyal, Advocate for the petitioners.

Mr. S.S. Sandhu, A.A.G., Punjab.

Mr. Abhishek Singla, Advocate for
complainant/respondent no.2.

TEJINDER SINGH DHINDSA.J (Oral)

Instant petition was preferred under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in Complaint Case No.72 dated 19.8.2013 under sections 307, 323, 506, 34 I.P.C pending in the court of S.D.J.M., Talwandi Sabo.

The instant petition came up for preliminary hearing on 9.6.2016 and at that stage submission made by counsel was taken note of that the petitioners after grant of bail had been regularly appearing before the court below and only on account of a single default i.e. having not appeared on 7.1.2016, the concession of bail had been canceled and bail bonds/surety bonds had been forfeited to the State. As such, while issuing notice of motion petitioners were directed to appear before the court concerned within a period of 7 days.

The present case has thereafter been adjourned on request repeatedly.

It would be apposite to take note that since petitioners chose not to appear before the court below, the order dated 9.6.2016 passed by this Court was recalled on 19.8.2016.

Counsel appearing for the complainant submits that till date petitioners have neither appeared before the court below nor any application has been preferred for the petitioners to be granted permission to participate in the trial proceedings.

Counsel for the petitioners does not rebut such stand taken on behalf of the complainant and rather pleads no instructions.

Consequently, the instant petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

21.02.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No