

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

CRM-M No. 27305 of 2017

Date of Decision: 29.01.2018

ARUN KUMAR

-PETITIONER

VS

PAWAN KUMAR AND ANR

-RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Ms. Manjeet Kaur, Advocate, for  
Mr. Karanjit Singh, Advocate,  
for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

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**RAJ MOHAN SINGH, J. (ORAL)**

1. On 31.07.2017, following order was passed by the  
Co-ordinate Bench:-

*“Heard.*

*Learned counsel for the petitioner  
undertakes that petitioner will appear before  
the trial Court on each and every date in  
future.*

*Notice of motion for 07.11.2017.*

*To ensure his presence before the trial  
Court and conclusion of trial, it is directed that  
petitioner will surrender before the trial*

*Court/Duty Magistrate on 08.08.2017 and on his appearance, he will be allowed interim bail, till the next date, subject to his furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. The trial Court will proceed further with the trial and try to conclude the same on or before the date fixed in this petition.*

*It is, however, made clear that in the event of petitioner absenting on any date before the next date fixed in this petition, the trial Court will be at liberty to cancel his interim bail and take him in custody ”*

2. Thereafter, on 07.11.2017, respondent No.1 was not served and he was directed to be served on furnishing complete address by the petitioner within two weeks.
3. Learned proxy counsel on behalf of the petitioner was not aware as to whether petitioner had surrendered before the trial Court as per order dated 31.07.2017.
4. The case was adjourned for today. As per office report, fresh notice could not be issued to respondent No.1 for want of correct address.
5. It appears that after seeking protection from this

Court on 31.07.2017, the petitioner has not appeared before the trial Court.

6. Learned State counsel on instructions from HC Harjinder Singh submits that the petitioner has not appeared before the trial Court even for once.

7. In view of order dated 31.07.2017 and 07.11.2017 passed in this case and as per office report, this Court feels that the petitioner is not entitled to such indulgence.

8. Accordingly, the present petition stands dismissed.

29.01.2018  
*jyoti*

**(RAJ MOHAN SINGH)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No