

CRM-M-36154-2018

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

CRM-M-36154-2018

Date of Decision: 15.12.2018

Parmeshwar Kumar Dixit

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Navdeep Kalair, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. A.P.S.Madaan, Advocate,
for respondent No.2.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in criminal appeal bearing No.CRA-216 of 2015, titled as 'Parmeshwar Kumar Dixit Vs. Nahar Industrial Enterprises Limited', pending in the Court of learned Additional Sessions Judge, Ludhiana.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of respondent No.1-State and respondent No.2 also appeared through its counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that the petitioner absented himself from the court proceedings in appeal on 01.08.2018; his bail was cancelled and warrant of arrest was issued against him.

Learned counsel for the petitioner submits that the petitioner had approached this Court to seek remedy in some other case and, therefore, he could not appear before the lower court on the relevant date.

In pursuance of the interim order dated 23.08.2018 passed by this Court, the petitioner has already appeared before the lower court and has been released on interim bail.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, I find that disposal of the appeal may take a long time and no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 23.08.2018, granting interim bail to the petitioner, is made absolute.

15.12.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No