

Ajay Kumar

...PETITIONER

VS.

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gursimran Singh Bhatia, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner contends that as the petitioner is a resident of Jammu and it being a foggy morning, the petitioner could not reach the trial Court on time on 04.01.2018. Because of the absence of the petitioner, the bail bonds and the surety bonds, which were submitted at the time when the bail earlier granted to the petitioner was cancelled and non-bailable warrants were issued. Counsel contends that the non-appearance on the part of the petitioner was not intentional. It was because of circumstances which were beyond his control. His submission is that it was the only absence on the part of the petitioner before the trial Court after the grant of bail and that the petitioner undertakes that in future, he would appear before the trial Court on each date, which is fixed.

Keeping in view the submissions made by the learned counsel for the petitioner, in case the assertion of the petitioner is found to be correct that it was his first absence on 04.01.2018 and he appears and surrenders before the trial Court on 05.03.2018 and moves an application

for grant of regular bail, the same shall be accepted and he be released on bail to the satisfaction of the trial Court provided the petitioner gives an undertaking to the effect that in case, he fails to appear before the trial Court on any date of hearing, which may be fixed, his bail bonds be deemed to have been cancelled.

Disposed of with above observations.

Copy of the order be given ***dasti*** to the counsel for the petitioner under signatures of the Bench Secretary of this Court.

March 01, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

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