

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

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CRM-M No.9253 of 2018
Date of Decision: March 9th, 2018

Suresh Jain

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that the petitioner has always been ready and willing to comply with the directions as have been issued by the Supreme Court in SLP No.10310 of 2017 by order dated 22.12.2017. He contends that initially the direction of the Supreme Court was for depositing the amount with the Appellate Court but the Appellate Court desires it in the form of a demand draft in the name of complainant-Rajesh Rana, which draft would be prepared in the name of the complainant and deposited with the Appellate Court on 12.03.2018. He further states that the petitioner has always been ready and willing to appear before the Appellate Court but because of his ill health, he has not been able to do so. It was never the intention on the part of the petitioner to delay the proceedings before the Appellate Court but because of the reasons beyond his control, the delay has occurred. He contends that the petitioner would appear before the Court on 17.03.2018, which is the date fixed before the Appellate Court and surrender to the jurisdiction of the said Court to dispel any adverse opinion that the petitioner intends to delay the proceedings before the Court.

In the light of the statement made by the counsel for the

petitioner, in case the order passed by the Hon'ble Supreme Court is complied with by the petitioner by depositing the bank draft of the amount of compensation as per the order of conviction passed by the trial Court on 30.03.2016, in the name of the complainant and further appears before the Appellate Court on 17.03.2018 in person, the non-bailable warrants issued against the petitioner shall be kept in abeyance.

It would be open to the Appellate Court to consider the application for exemption, if moved by the petitioner, supported by medical certificate issued by All India Institutes of Medical Sciences, Delhi, for further exemption from appearance in the Court or for any date which the Court may feel appropriate.

With these observations, the present petition stands disposed of.

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

March 9th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No