

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

CRR-1501-2018

Date of decision:-29.5.2018

Gurjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON' BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Baljit Singh Aliana, Advocate
for the petitioner.

H.S. MADAAN, J.

Mr.Baljit Singh Aliana, Advocate has put in appearance on behalf of the petitioner and filed vakalatnama on behalf of the petitioner, which is taken on record.

The petitioner/accused having been convicted by the trial Court had preferred an appeal to the Court of Sessions, during the course of which, he absented. The appeal was dismissed by learned Additional Sessions Judge, Fazilka vide order dated 19.2.2018 directing that conviction warrants of the appellant be issued for taking him in custody for undergoing the sentence awarded by the learned trial Court. The petitioner/accused has filed the present revision petition without surrendering before the trial Court.

Learned counsel for the petitioner while referring to authority **Vivek Rai and others Versus High Court of Jharkhand and others, 2015(1) R.C.R.(Criminal) 900** has submitted that High Court has inherent power to exempt the requirement of surrender in exceptional situations.

The petitioner being an absconder, I do not see any reason to

exercise such power and there are no exceptional circumstances. Since the petitioner has not surrendered before the trial Court, the petition is bound to fail and the same is dismissed accordingly.

29.5.2018

Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No