

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33677-2018 (O&M)

Date of Decision:-7.3.2019

Piyush Kumar Yadav

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.35 dated 16.4.2017 registered at Police Station Smalsar, District Moga, under Sections 420 and 120-B of Indian Penal Code.

Vide order dated 21.8.2018, the petitioner had been directed to appear before the trial Court within a period of two weeks and the trial Court had been directed to release the petitioner on interim bail. However, the petitioner did not appear before the trial Court as directed and consequently vide order dated 23.10.2018, the petitioner was again directed to appear before the trial Court on 8.11.2018. The petitioner again did not appear pursuant to the aforesaid directions.

On 20.2.2019, the following order was passed and the matter was adjourned to 7.3.2019:-

“Despite a direction having been issued to the petitioner vide order dated 21.8.2018 to surrender before the trial Court, the petitioner has chosen not to surrender.

Today, the learned counsel for the petitioner has, however, requested that a lenient view may be taken as the petitioner lost his mother about a week back.

In view of the aforesaid submission, the time afforded to the petitioner for surrendering before the trial Court is extended and the petitioner is afforded another one week to surrender before the trial Court. In case he does so, the trial Court shall release the petitioner on interim bail subject to his furnishing bail bonds/surety bonds to its satisfaction.

The learned counsel for the petitioner shall also produce a copy of death certificate pertaining to death of mother of the petitioner on the next date of hearing. In case, the aforesaid submissions are found to be incorrect, the petition may be dismissed on this short score itself. It is further made clear that no further extension shall be granted to the petitioner.

Adjourned to **7.3.2019.**”

The learned State counsel has today informed that the petitioner has still not chosen to appear before the trial Court.

In view of the aforesaid position, wherein the petitioner, despite having been directed by this Court to surrender before the trial Court, is intentionally keeping away and not appearing before trial Court, the petitioner does not deserve any relief from this Court, especially when he had already been warned vide order dated 20.2.2019.

Today, despite the matter having been called, there is no representation on behalf of the petitioner. The petition, as such, is dismissed.

7.3.2019

pankaj

(Gurvinder Singh Gill)
Judge

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