

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-34960 of 2019

Date of Decision: 28.08.2019

Sameer Kumar Saini

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for quashing of order dated 17.07.2019 (Annexure P4) passed by the learned Judge, Special Court, Sangrur, whereby application, filed by the petitioner for seeking his exemption from personal appearance in the Court on 17.07.2019, was dismissed and he was ordered to be summoned through non-bailable warrants of arrest.

Learned counsel for the petitioner contended that earlier, the petitioner was admitted to interim bail till the receipt of the report from the Forensic Science Laboratory; subsequently, the said report was received on 17.07.2019 and petitioner was to appear before the learned trial Judge on that date, but he could not appear and instead, he sought his exemption from personal appearance, by filing an application, on the ground of illness, which was not supported by any medical certificate. But the said application was dismissed; interim bail granted to the petitioner was cancelled and non-

bailable warrants of arrested were ordered to be issued against him.

Notice of motion.

On asking of the Court, Ms. Monika Jalota, Deputy Advocate General, Punjab accepts notice on behalf of the respondent. A complete copy of paper-book be provided to her during the course of the day.

In view of above, present petition stands dismissed. However, in case, petitioner surrenders before the learned trial Judge within a period of one week from today and moves an application for admitting him to regular bail after the receipt of report from the Forensic Science Laboratory, the learned trial Court shall not take him in custody immediately, but decide his application for bail within a period of one week thereafter.

(Shekher Dhawan)
Judge

August 28, 2019
“DK”

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