

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

**CRM-M No.10198 of 2020
Date of Decision.06.03.2020**

Ajay Gupta

...Petitioner

Vs

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. D.K. Bhatti, Advocate
for the petitioner.

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JAISHREE THAKUR J. (ORAL)

Counsel for the petitioner would contend that by an order dated 20.02.2020, non-bailable warrants have been issued against the petitioner.

It is argued that the petitioner herein had been convicted under Section 498-A IPC and consequent to the said conviction, he had filed an appeal, which is pending before the Additional Sessions Judge, Jalandhar. An application for exemption from personal appearance of the petitioner herein had been filed and the same was allowed by an order dated 21.01.2020, on which date record of the lower court was received and the matter was adjourned to 20.02.2020 for arguments. The matter was called on 20.02.2020, on which date, the Additional Sessions Judge noted that the matter had been called twice but he had not put in appearance and therefore, had cancelled his bail bonds and issued non-bailable warrants instead.

Counsel for the petitioner herein would contend that he has been putting in appearance as and when required, however, on the said date, matter was taken up at 11 PM when he was under the impression that the appeals would be taken up in the post lunch session. It is argued that the

petitioner herein had put in appearance on the post lunch session but found that an adverse order had already been passed. It is prayed that one opportunity be allowed to him to be present in Court so that his arguments on the appeal can be addressed, while praying for stay of his arrest.

I have heard learned counsel for the petitioner and proposes to dispose of the instant petition *in limine*. Since the matter is ripe for arguments, it would be in the interest of parties concerned that one opportunity is allowed to the petitioner herein to put in appearance before the Court on the date already fixed, on which date he will furnish fresh bail bonds to the satisfaction of the Appellate Court.

In the meantime, arrest of the petitioner is stayed, however, in case petitioner does not put in appearance on the date already fixed or does not furnish fresh bail bonds before the Appellate Court, the interim protection granted by this Court shall stand automatically vacated.

(JAISHREE THAKUR)
JUDGE

March 06, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No