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

**CRM-M-9975-2020
Date of Decision: 06.03.2020**

Sagar Kataria

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ankur Bansal, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

[1]. Notice of motion.

[2]. On the asking of the Court, Mr. Avtar Singh Sandhu, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State. Let a copy of the paper-book be supplied to him during the course of the day.

[3]. It is submitted by Ld. Counsel for the petitioner that he was originally on bail in the case pending before the Ld. Court below. He was, however, found absent from proceedings on 23.10.2019, on account of which, his bail bonds were cancelled and warrants of arrest were ordered to be issued against him.

[4]. His contention in this regard is that his absence was not intentional and that he was unable to appear before the Ld. Trial Court on the relevant date as he was already in custody in connection with a different FIR bearing No.130 dated 07.08.2019, as can be seen from the custody certificate issued by the Superintendent of Central Jail, Kapurthala

(Annexure P-6).

[5]. In the given circumstances, the contention raised on behalf of the petitioner appears to be just a *bona fide* and as such, the impugned order is set aside and the liberty is granted to the petitioner to surrender before the Ld. Trial Court and seek fresh bail within ten days from date, after which he may be released on fresh bail.

[6]. Disposed off.

06.03.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No