

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11110-2021

Date of Decision : 10.03.2021

Prem Singh Sidhu

...Petitioner

Versus

Bahadur Singh and another

...Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Charnjit Singh, Advocate, for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Learned counsel contends that dismissal of the petition under Section 438 Cr.P.C., on the ground that the petitioner had absented himself from the learned trial Court on 13.06.2018, 18.09.2018, 04.12.2018, 28.01.2019, 17.07.2019, 04.09.2019, 11.12.2019, 17.02.2020, 04.03.2020, is factually incorrect as on the said dates, the learned trial Court had exempted appearance of the petitioner on account of application moved by the petitioner and it was only on 09.03.2020 that the petitioner could not put in appearance on account of his having to appear before the Court of the learned ACJM, Mansa in case titled as "Raghbir Singh Vs. Prem Singh".

3. Notice of motion to respondent No.2 only.

4. Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of respondent No.2-State and does not dispute the factual position as noted above.

5. In view of the position as noted above, the petitioner is directed

to put in appearance before the learned trial Court on the date fixed and

move an application for regular bail which shall be considered and decided by the learned trial Court in accordance with law after taking into account all aspects of the matter. Till such time, orders on regular bail application are passed, arrest of the petitioner shall remain stayed.

6. Petition disposed of with the aforementioned directions.

March 10, 2021
rajesh-hemlata

(B.S. Walia)
Judge

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