

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

(Heard through VC)

CRR No.593 of 2021 (O&M)
Date of Decision: June 02, 2021

Prem Rattan Sood

...Petitioner

Versus

M/S Arora Agro Chemicals and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Sharma, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a criminal revision petition that has been filed seeking to challenge the order dated 24.03.2021 passed by the Sessions Judge, Barnala in a pending appeal.

Counsel for the petitioner herein would submit that the first appeal against the conviction of two years is pending before the Sessions Judge, Barnala. His sentence was suspended by an order dated 07.03.2019, which order has been recalled on 24.03.2021 by taking into consideration that the petitioner herein had not put in an appearance in the appeal, which has been pending since March 2018. Learned counsel for the petitioner would contend that on two occasions his counsel could not argue the matter on account of the counsel suffering from fever. The petitioner had

appeared on 18.03.2021 and made a request for an adjournment on that count, however, on the next date as neither he nor the counsel put in an appearance, order whereby his sentence was suspended has been recalled and consequently, he was taken into custody. It is argued that subsequent thereto, the court has adjourned the case on account of surge of Covid-19 cases. It is further argued that the petitioner would be entitled to the benefit of release on bail in view of the decision taken by the High Powered Committee of this Court on 11.05.2021.

I have heard counsel for the petitioner and have perused the pleadings of the case and without issuing notice, this court proposes to dispose of the instant criminal revision petition wherein, the petitioner herein is seeking to challenge the order whereby, the order suspending his sentence during the pendency of the appeal stands recalled. The High Powered Committee of this Court has passed certain orders whereby, a decision has been taken to allow bail or extend the bail/parole on account of the exponential rise in the Covid cases across the country. One of the directions is that persons who are convicted having no other pending trial cases and sentenced upto seven years, would be entitled to grant of parole. Taking into account the overall directions that have been issued by the High Powered Committee of this Court, this court deems it appropriate to set aside the impugned order passed by the Sessions Judge, Barnala, whereby he recalled the order suspending the sentence of the petitioner during the pendency of the appeal. Therefore, the petitioner is ordered to be released on bail during the pendency of the appeal subject to his furnishing the adequate bail bond and surety bond to the satisfaction of the Sessions Judge,

Barnala/Duty Magistrate concerned. However, the petitioner would also furnish an undertaking with the court that no further adjournments would be sought by him and the appeal would be argued on the date fixed for arguments by the Court.

The instant criminal revision stands allowed accordingly.

June 02, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No