

116.

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

CRM-M-40432-2021

Date of Decision: 10.12.2021

MUNISH SHARMA

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aruz Khan, Advocate,
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

Mr. L.S. Mann, Advocate,
for respondent No.2.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 482 Cr.P.C. for setting aside order dated 31.08.2021 passed by the learned Sessions Judge, Hoshiarpur in Criminal Appeal No.CRA No.112 of 2018, titled as *Munish Kumar Versus State of Punjab and another*, pending for 22.10.2021, arising out of Criminal Complaint No.NACT/192/2014, dated 14.11.2013, under Section 138 of the Negotiable Instruments Act, whereby the bail of the petitioner has been cancelled and the bail/surety bonds forfeited to the State on account of his non-appearance on that day.

Learned counsel appearing on behalf of the petitioner would submit that on account of lockdown and due to Covid-19 restrictions in

Himachal Pradesh, the petitioner was unable to appear and his application for seeking exemption was rejected by the impugned order. It is submitted that pursuant to order dated 28.09.2021, the petitioner has surrendered before the Appellate Court and has been admitted to interim bail and is facing the proceedings there and that arguments have been heard and the appeal has been listed for final disposal.

At this stage, appearance has been caused on behalf of respondent No.2, who would submit that even though the petitioner has to put in appearance before the court, he continues to seek adjournments in the matter as would be reflected from the order dated 22.11.2021.

I have heard learned counsel for the petitioner as well as the counsel appearing on behalf of respondent No.2. The petitioner herein has put in his appearance in terms of the order passed by this Court. However, it appears that the matter is being adjourned on account of his request. The matter is now listed for 14.12.2021 for arguments.

The interim order dated 28.09.2021 is made absolute.

Let an endeavour be made to have the appeal heard on the date fixed. Any further adjournment will not be allowed on request made by counsel for the petitioner.

Petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

10.12.2021

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No