

**245 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-45024 of 2021
Date of Decision: 16.12.2021**

Pawan Kumar alias Mattar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ANOOP CHITKARA, J.(ORAL)

The limited prayer for which the petitioner has come up before this Court is for setting aside non-bailable warrants which were issued against him because of his non-appearance vide order dated 19.07.2021 (Annexure P-3). Learned counsel for the petitioner has drawn the attention of this Court to Paragraph Nos.5 and 6 of the petition, in which it has been mentioned that the petitioner could not appear on the date fixed due to Covid-19 pandemic outbreak and he was also not aware about the date fixed. He further argued that the concerned advocate appearing on behalf of the petitioner before the learned trial Court also did not inform the petitioner about the next date of hearing. He further submits that the bail bonds already furnished by the petitioner were cancelled and forfeited to the State.

The explanation offered by the learned counsel for the petitioner for his non-appearance before the learned trial Court is *bona fide*.

This Court is inclined to afford one more opportunity to the petitioner subject to the condition that the petitioner shall appear before the learned

trial Court on 23.12.2021 and after that on each and every date as and when called upon to do so. Bail bonds already furnished by the petitioner/accused stand restored since the petitioner is a poor person. Bail bonds are restored on the same terms and conditions that the petitioner shall now appear before the learned trial Court on 23.12.2021 and in case he does not appear on that day for the reasons beyond his control, then he shall positively appear on 05.01.2022. If the petitioner fails to appear by the said date, then this order shall stand automatically recalled and his bail bonds shall stand cancelled without any further reference of this Court.

Petition allowed.

(ANOOP CHITKARA)
JUDGE

December 16, 2021

Manpreet

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