

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

209

CRM-M-2102-2022

Date of Decision:28.07.2022

Sameer Dhar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Varun Singh Dhanda, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Yogesh Goel, Advocate for respondent No.2.

ANOOP CHITKARA J. (ORAL)

Aggrieved by the directions to deposit 20% as a condition precedent to suspension of sentence, the convict has come up before this Court under Section 438 CrPC.

The nature of the order this Court is going to pass, would resolve the controversy in issue without calling for reply/response from the respondent.

This Court requests the Sessions Court/Additional Sessions Court to decide the appeal on or before 31.08.2022. In case the convict seeks an adjournment or does not appear, the Court shall proceed by appointing a legal aid counsel and not adjourn the matter on the ground of non-appearance. Since the appeal is likely to be decided till 31.08.2022, the Sessions Court shall not insist upon 20% payment. It is clarified that in case, the complainant also does not appear, the Court shall proceed further by appointing a legal aid counsel even for the complainant.

The suspension orders shall continue till 31.08.2022. It is also

clarified that learned counsel for the petitioner as well as for the complainant assure that their clients shall remain present.

Disposed of accordingly in the terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.07.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No