

CRM-M-20706-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20706-2022 (O&M)

Date of decision: 25.04.2023

RAMESH KUMAR

... Petitioner

Versus

M/S VIKAS KUMAR SONS

... Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI.**Present:** Mr. Kanwar Pahul, Advocate the applicant-petitioner.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the order dated 27.04.2022 (Annexure P-2) passed by JMIC, Amritsar, whereby the bail bonds of the petitioner stands cancelled due to his absence on one particular date, in case titled as M/s Vikas Kumar Sons Vs. Ramesh Kumar bearing No. NACT No.1500 of 2019 under Section 138 of Negotiable Instruments Act.

On 26.05.2022 following order was passed:-

“CRM-18626-2022

The prayer in the application under Section 482 Cr.PC is for revival of the main petition which was dismissed in default vide order dated 13.05.2022.

For the reasons stated in the application duly supported by affidavit of the petitioner himself, the application is allowed and main petition is ordered to be restored to its original number.

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The Counsel for the petitioner submits that on 09.02.2022 since the petitioner was suffering from fever an application for exemption was moved and the same was

allowed for that day only. However, due to his ill health he could not ask about the next date from his counsel which was 10.03.2022 because of which petitioner could not appear on that date as well. The matter stood adjourned to 27.04.2022 on which date the impugned order was passed (Annexure P-2).

The Counsel for the petitioner submits that he is ready and willing to join the proceedings once again.

Notice of motion for 20.10.2022.

In the meanwhile, the petitioner is directed to appear before the Trial Court and he shall be admitted to interim bail to the satisfaction of the Trial Court.”

Learned counsel for the petitioner states that in compliance of the aforementioned order, the petitioner has since surrendered and has been released on interim bail. The copy of the orders dated 30.07.2022 and 15.03.2023 supplied by the learned counsel for the petitioner to substantiate the fact that the petitioner has surrendered, are taken on record and marked as ‘X’ and ‘Y’, respectively.

In view of the above, no further orders are required to be passed by this Court.

It is expected that the petitioner shall not absent himself from the trial without sufficient cause.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

25.04.2023

Sonia

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