

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

CRM-M-57547-2022

Date of Decision: March 27, 2023

KAMAL KANT DEWAN

..... Petitioner

Versus

M/S BDS COMMISSION AGENT AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Kiran Khatri, Advocate for
Mr. Aditya Grover, Advocate for petitioner.
Mr. Rajeev Sarma, Advocate for respondent No.1 and 2.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 CrPC, prayer has been made for setting aside of order dated 09.11.2022 passed by Id. CJID/JMIC Patti whereby non-bailable warrants of arrest have been issued against petitioner.

On 13.12.2022, this Court passed the following order:-

“Learned counsel for the petitioner has submitted that the petitioner had been earlier repeatedly appearing before the Court and he was granted exemption on the earlier occasions. However, on 09.11.2022 he could not appear before the learned trial Court because of his medical condition regarding which a certificate has been attached as Annexure P-3 dated 07.11.2022. He submitted that for the first time he could not appear before the trial Court because of the reasons beyond his control but his bail has been cancelled and non-bailable warrants have been issued against him. He submitted that he has specific instructions to state from the petitioner that he is ready and willing to appear

and surrender before the learned trial Court within a period of two weeks from today.

Notice of motion.

In view of the undertaking given by the learned counsel for the petitioner on behalf of the petitioner that the petitioner will appear and surrender before the learned trial Court within a period of two weeks from today, it is directed that till the time the petitioner appears and surrenders before the learned trial Court, no coercive steps shall be taken against the petitioner. Thereafter, in case the petitioner files any application for grant of regular bail, the same shall be considered and decided by the learned trial Court as expeditiously as possible and preferably within a period of three working days.

Adjourned to 27.03.2023.”

In pursuance thereof, the petitioner appeared before trial Court and furnished his fresh bail bonds/surety bonds which have been duly accepted vide order dated 16.12.2022 passed by Court of JMIC Patti. Since then, the petitioner has been continuously appearing before trial Court.

In view of the above, as the petitioner has already appeared before the trial Court, order dated 13.12.2022 passed by this Court is made absolute.

Disposed of accordingly.

27.03.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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