

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2446-2024

Date of Decision: 19.1.2024

Parminder Singh

....Petitioner

VERSUS

State of Haryana and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Veneet Sharma, Advocate for
Mr. Deepak Aggarwal, Advocate,
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner for setting aside order dated 1.12.2023 (Annexure P-2) passed by the Court of learned Sessions Judge, Ambala in CRA-240-2018 titled M/s Parminder Singh v. Balwinder Singh, vide which, the bail of the petitioner was cancelled and he was ordered to be summoned through non-bailable warrants of arrest on account of his absence before the said Court on that date.

2. Counsel for the petitioner submits that on the date fixed before the appellate Court, presence of the appellant-petitioner was not required as on that date, it was brought to the notice of the Court that the complainant-respondent has died and the application to implead his LR was moved and the same was allowed; that even otherwise, absence of the petitioner on that date was not intentional as he was not able to appear in the Court concerned as he was suffering from Dengue and the application seeking his exemption from personal appearance was also moved on medical grounds but the same was not entertained by the appellate Court. Counsel for the petitioner further

submits that the petitioner is ready to join the proceedings before the appellate Court and in future, he will remain careful.

3. It appears that the impugned order was passed by the appellate Court on account of absence of the petitioner on the date fixed. As has been apprised by the counsel for the petitioner, presence of the petitioner was not at all required on the relevant day when the impugned order was passed by the Court. In the given circumstances, in order to avoid further delay in disposal of the appeal filed by the petitioner, the petitioner is hereby directed to appear before the appellate Court on or before the next date fixed in the said Court and on his doing so, the petitioner is to be released on regular bail by the appellate Court concerned to its own satisfaction subject to costs of ₹ 5000/- to be deposited by the petitioner with District Legal Services Authority concerned.

4. Disposed of.

(KARAMJIT SINGH)
JUDGE

January 19, 2024
Paritosh Kumar

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