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CRM-M-37063-2023

**ANIL JOSHI AND ANR
VS
STATE OF PUNJAB AND ANR**

Present: Mr. M.S. Batth, Advocate for the petitioners.

Mr. Ferry Sofat, Addl. A.G. Punjab.

Inter alia contends that in the present case, both the petitioners have moved their respective applications for exemption from appearance on account of the fact that they had gone out of city for personal urgent work but the trial Court has rejected the said prayer and has issued non-bailable warrants for 09.08.2023. It is further submitted that since, the charges are yet to be framed in the said case, thus, no witness had appeared on 20.07.2023 and has further submitted that the petitioners would appear before the trial Court on or before next date of hearing i.e., on 09.08.2023, in case, they be released on interim bail and they also undertake to appear on each and every date before the trial Court unless their personal appearance is specifically exempted by the trial Court. It is also contended that as far as the registration of FIR under Section 188 of IPC is concerned, same is barred as per law laid down by the Hon'ble Division Bench of this Court in **Jiwan Kumar Vs. State of Punjab**, reported as **2009(1) RCR (Criminal) 415**.

Notice of motion for 14.08.2023.

Till the next date of hearing, the execution of non-bailable warrants issued against the petitioners is stayed.

To be taken up at 12:00 pm.

In the meantime, the petitioners are directed to appear before the trial Court on or before the next date of hearing i.e., on 09.08.2023 and on their appearance, the trial Court is directed to release the petitioners on interim bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court. The same would also be subject to the petitioners giving an undertaking to the trial Court that they would appear before the trial Court on each and every date unless their appearance is specifically exempted by the Court.

31.07.2023

Pawan

**(VIKAS BAHL)
JUDGE**