

31.01.2017 Present: Mr. S.D. Gill, Advocate, for the petitioner.

Mr. V.S. Chauhan, Additional Advocate General,  
for the respondent.

By way of this application, the petitioner has stated that though this Court on 27<sup>th</sup> January, 2017 was pleased to pass orders that learned trial Court will prepone the hearing and dispose of the bail application of the applicant/petitioner at some earlier date, however, learned Presiding Judge, being a Vacation Judge, has expressed his helplessness to prepone the bail application until and unless there is a specific direction in this regard from this Court.

Taking into consideration the averments made in the application and after hearing Mr. S.D.Gill, learned counsel for the petitioner as well as Mr. V.S. Chauhan, learned Additional Advocate General, in my considered view, interest of justice will be served in case the Vacation Judge exercising the powers of Sessions Judge, District Mandi is directed to hear the bail application by preponing the same and thereafter decide the same on merit.

Accordingly, this application is allowed and learned Vacation Judge exercising the powers of Sessions Judge, Mandi is directed to hear the pending bail

application of the applicant by preponing the same and thereafter adjudicate the same purely on merit. It is made clear that this Court has not made any observations with regard to the merit of the bail application of the present petitioner and the learned Court below shall decide the same strictly as per the merits of the case being totally uninfluenced by any observations made by this Court in this order. Application stands disposed of.

Copy *dasti*.

**(Ajay Mohan Goel)**  
**Vacation Judge**

**January 31, 2017**  
*(bhupender)*

