

02. 30.09.2019

Heard, the learned counsel for the petitioners and the learned counsel for the State.

This application under Section 482 of Cr.P.C. has been filed by the petitioners with a prayer to quash the order dated 09.12.2013 passed by the learned NGN-Cum-JMFC, Rajnagar in G.R. Case No.34 of 2008 issuing N.B.W.(A) against the petitioners.

Considering the facts and submissions made, I am not inclined to quash the impugned order. However, it is open to the petitioners to surrender before the Court in seisin over the matter within four weeks' hence and if they surrender and move for bail, the Court in seisin over the matter shall allow them to go on bail on such terms and conditions as it may deem just and proper including the conditions that they shall cooperate with the trial and shall deposit a cash security of Rs.2,000/- (Rupees two thousand) each before the court below.

However, the aforesaid is subject to verification of the fact that the petitioners were earlier released on bail for the self-same offence or any graver offence, but for their non-appearance, N.B.W.(A) has been issued against them.

It is made clear that in spite of this order, if the petitioners after their release again make default in appearance, the cash security shall be immediately forfeited and in the next coercive steps to be taken to procure their attendance, this fact of their release shall also be reflected by the court in seisin over the matter. No further extension of time with regard to surrender of the

petitioners shall be allowed in any circumstances.

With the aforesaid order, this CRLMC stands disposed of.

Urgent certified copy of this order be granted on proper application.

.....  
***S.Pujahari, J.***