

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 101

Criminal Miscellaneous No.M-15284 of 2015

Date of Decision: *May 12, 2015*

Naveen Babbar

..... PETITIONER

VERSUS

Naresh Kumar & another

..... RESPONDENTS

. . .

CORAM: **HON'BLE MR. JUSTICE JASPAL SINGH**

. . .

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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PRESENT: - Mr. Sumit Jain, Advocate, for the petitioner.

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Jaspal Singh, J (Oral)

1. This is a petition under Section 438 Cr.P.C. preferred by Naveen Babbar in complaint case captioned as “Naresh Kumar vs. Naveen Babbar” under Section 138 of Negotiable Instruments Act, 1881.

2. Undisputably, petitioner suffered a statement before Trial Court on November 11, 2014 to the effect that he will make the payment of cheque amount to complainant in instalments upto January 10, 2015 and shall pay first instalment on December 10, 2014. Another instalment

was to be paid on or before January 10, 2015. But, he did not appear before the Trial Court on December 10, 2014, as a result of which, his bail bonds were cancelled and he was ordered to be summoned through non-bailable warrants.

3. Infact, certificate (Annexure P-2) transpires that petitioner was taken into custody on November 25, 2014 in case FIR No.181 dated September 21, 2014 under Sections 452, 354-A, 354-D IPC, Police Station, Rupnagar, due to which he could not appear before the Trial Court on December 10, 2014.

4. The petition is disposed of with a direction to the petitioner to surrender before the Trial Court within a period of seven days from today and in case of his surrender, Trial Court shall release him on bail to its satisfaction. However, he shall abide by his statement earlier made before the learned Trial Court to make the payment within reasonable period to be provided by the Trial Court.

May 12, 2015
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(Jaspal Singh)
Judge