

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.32261 of 2015 (O&M)
Date of Decision : 21.09.2015**

Surender Bakshi @ Lallu Bakshi

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Karan Singh, Advocate
for the petitioner.

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?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case CRA No.116 dated 10.12.2013/12.05.2015 filed against judgment dated 11.11.2013 pending before the Additional District Judge, Yamunanagar at Jagadhari and against the order of sentence dated 12.11.2013 passed in criminal complaint No.4052 dated 22.04.2012/13.07.2012 under Section 138 of the Negotiable Instruments Act.

The petitioner has been convicted under Section 138 of the Negotiable Instruments Act. During pendency of the appeal the case was fixed for 05.05.2015. On that date the petitioner moved an application praying for exemption; that application was allowed and the case was

adjourned to 30.07.2015. On that date also the petitioner moved an application praying for exemption on the ground that he had to go out of station. The Court noticed that the appeal was of the year 2013 and was pending for arguments. However, taking a lenient view the Court granted exemption for 30.07.2015 and posted the case for 31.07.2015. Thereafter, on that date also the petitioner did not appear and consequently his bail bond was cancelled. Thereafter the petitioner moved an application for anticipatory bail before the Appellate Court but his counsel did not appear and the same was also dismissed.

Learned counsel has argued that the petitioner had appeared regularly in the past.

Be that as it may, in my considered opinion the interest of justice would be met if the petitioner is allowed conditional anticipatory bail. It is directed that in case he deposits Rs.15,000/- as costs to the complainant for delaying the case for 4½ months he will be released on bail to the satisfaction of the Appellate Court on his appearance on the date fixed which is stated to be 28.09.2015.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

September 21, 2015
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(AJAY TEWARI)
JUDGE