

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-42614-2015
Date of decision: 17.12.2015**

Napolian Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.S.K.Ojha, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in complaint No.1085 dated 15.2.2010 registered under Section 138 of the Negotiable Instruments Act, 1881 pending in the Court of learned Judicial Magistrate 1st Class, Panchkula.

Learned counsel for the petitioner submits that though the petitioner has been regularly appearing before the learned trial Court on the dates of hearing but unfortunately because initially his father was unwell, who passed away thereafter and later on petitioner himself was not feeling well as well as his mother was also bed ridden and due to these reasons petitioner could not appear before the learned trial Court and he was declared proclaimed offender. He further submits that petitioner is very much ready and willing to surrender before the learned trial Court within a period of ten days from today and learned trial Court may be directed to consider his bail application, on the basis of totality of facts and circumstances of the case, which shall be brought to its notice at the instance of the petitioner.

Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, petitioner is directed to surrender before the learned trial Court within a period of ten days from today. The learned trial Court shall consider the bail application of the petitioner, keeping in view the totality of facts and circumstances of the case, brought to its notice, at the instance of the petitioner, by passing an appropriate order, strictly in accordance with law, but at an early date.

Disposed of, accordingly.

17.12.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE