

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-12873 of 2016

Date of Decision: April 12, 2016

Inderbir Singh

.....Petitioner

Vs.

Kanwaljit Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

-. -

Present:- Mr.Paras Talwar, Advocate
for the petitioner.

-. -

M.M.S. BEDI, J. (ORAL)

Having absented on October 20, 2015, during the pendency of the trial, the bail bonds of the petitioner stand cancelled. An application filed for pre-arrest bail has been declined by Additional Sessions Judge observing that the petitioner should have appeared before the trial Court and sought cancellation of warrants.

Counsel for the petitioner submits that on account of wrong date having been noticed by the counsel for the petitioner, the petitioner was unable to appear on October 20, 2015.

I have heard learned counsel for the petitioner and carefully gone through the nature of the proceedings in which the petitioner is required to appear constantly. The proceedings arise out of a complaint under Section 138 of the Negotiable Instruments Act. In peculiar circumstances of this case, I deem it appropriate to dispose of this petition in limine in order to avoid unnecessary expenditure and harassment to the complainant.

This petition is allowed and it is ordered that the petitioner will put in appearance before the trial Court on or before May 7, 2016 alongwith a bank draft of Rs.10000/- in the name of the complainant and in case of his doing so, he will be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the said Court. The said bank draft will be handed over by the Court to the complainant as cost of adjournment for the unnecessary harassment caused to the complainant. It will be deemed to be the cost under Section 309 Explanation 2 Cr.P.C. In case of non-compliance of the order, this petition will be deemed to have been dismissed.

April 12, 2016
sanjay

(M.M.S.BEDI)
JUDGE