

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

Sr. No.104

CRM No. M-45214 of 2016
DECIDED ON: December 17, 2016

BAL KRISHAN

..PETITIONER

VERSUS

M/S BHUSHAN POWER & STEEL LTD.

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Manish Jain, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in complaint case captioned as “M/s Bhushan Power & Steels Ltd. vs. Swati Cast & Forge Pvt. Ltd.” under Sections 138 and 141 of Negotiable Instrument Act, during the pendency of trial.

The contention of the learned counsel for the petitioner is that though the petitioner was present before the trial Court and made an oral request to the effect that his case be taken up out of turn as he has to attend the court in some other case listed at Ludiana, but the said request was declined and the petitioner was marked absent. Consequently, his bail order was cancelled and bonds were forfeited to the State. He was ordered to be summoned through non-bailable warrants of arrest. But the contention of

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the learned counsel for the petitioner does not inspire confidence because no such application was moved before the trial court either for taking up the case out of turn or showing that he has to attend some other case in the court at Ludhiana.

However, taking into consideration the nature of offence, instant petition is disposed of with a direction to the petitioner to appear/surrender before the trial court within 07 days from the date of receipt of certificate copy of this order and move an application seeking bail which shall be dealt with and disposed of by concerned Court within a period of 2 effective working days from the date of its filing.

December 17, 2016
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned **Yes/No**

Whether Reportable **Yes/No**