

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-867 of 2016 (O&M)

Date of Decision: 04.04.2016

Ram Dass

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Parminder Singh, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.498 dated 5.11.2015 under section 174-A I.P.C, registered at Police Station, Sadar Panipat.

On 18.1.2016, while issuing notice of motion, the following order was passed by this Court:-

“Present petition has been filed under section 438 Cr.P.C seeking the concession of pre-arrest bail in case FIR No.498 dated 5.11.2015 under section 174-A I.P.C registered at Police Station, Sadar Panipat.

Counsel would contend that proceedings under section 138 of Negotiable Instruments Act have been initiated against the petitioner and without there being proper service he was declared a Proclaimed Person vide order dated 30.9.2015. It is on such basis that the present F.I.R has been registered. Counsel would submit that the petitioner had filed CRM No. M-909 of 2016 impugning the action of being declared a Proclaimed Person and vide order dated 12.1.2016 passed by a Coordinate Bench of this Court the petition has been disposed of with a direction to the petitioner to surrender before the lower court and to move appropriate application for

grant of bail. It has further been directed that till the bail application is decided the petitioner would not be arrested.

Notice of motion, returnable for 4.4.2016.

In the meantime, no coercive steps shall be taken against the petitioner till the next date of hearing in relation to F.I.R No.498 dated 5.11.2015 under section 174-A I.P.C registered at Police Station, Sadar Panipat.”

Counsel for the petitioner would make a categoric submission that in the original proceedings i.e. under the provisions of the Negotiable Instruments Act the bail application preferred by the petitioner has been accepted and benefit of regular bail has been granted vide order dated 1.2.2016, passed by the court of learned J.M.I.C., Panipat.

As per office report, even though, respondent/complainant stands duly served, however, there is no representation on his behalf to oppose the present petition.

Accordingly, the present petition is allowed. The order dated 18.1.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.04.2016
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