

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

**Crl. Misc. No.M-12888 of 2017(O&M)
Date of Decision: July 13, 2017**

Nanakjeet

.....PETITIONER(s).

VERSUS

Rakesh Khosla and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.D.Sharma, Advocate
for the petitioner (s).

None for respondent No. 1.

Ms. Rajni Gupta, Senior DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in complaint case No. 1795 dated 14.07.2015 titled as Rakesh Khosla Vs. Nanakjeet wherein he has been summoned to face trial for offence punishable under Section 138 of Negotiable Instruments Act, (for short NI Act) pending in the Court of Learned JMIC, Amritsar.

None has appeared on behalf of respondent No. 1 despite service.

Heard.

Learned counsel for the petitioner submits that during the

pendency of the complaint filed by respondent No. 1-Rakesh Khosla for the offence punishable under Section 138 of NI Act, the petitioner could not appear on 07.03.2017 as he was convicted and moved application for his exemption. He had also been convicted in another criminal case, in which appeal was dismissed on 22.02.2017. The petitioner filed revision bearing CRR No. 943 of 2017 against the judgment dated 22.02.2017 wherein his arrest was stayed till 28.03.2017. After obtaining that order, he moved the application seeking pre-arrest bail, which was declined by the Court below. Now the petitioner has put in appearance and has been released on interim bail by the Court of learned Judicial Magistrate Ist Class on 25.04.2017.

Keeping in view the fact that the petitioner has surrendered before the trial Court and has been released on interim bail, this petition is allowed and the order dated 19.04.2017 is made absolute subject to the condition that petitioner shall appear before the trial Court on each and every date of hearing.

July 13, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***