

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

CRL. MISC. No.M-14916 OF 2017 (O&M)
DATE OF DECISION : 1ST MAY, 2017

Amandeep Singh

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Rajvir Singh, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Ms. Rajni Gupta, Addl. A.G. Punjab accepts notice on behalf of respondent No.1-State.

There is no need to issue notice to respondent No.2 in view of limited controversy.

Rule.

Heard forthwith with consent of counsel for the rival parties.

In a complaint case under Section 138 Negotiable Instruments Act in respect of a cheque amount of ₹50,000/- the petitioner-accused remained absent before the trial Court on 07.02.2017 and as such, the trial Court issued non-bailable warrants for his arrest. The Sessions Court declined to grant any relief on the ground that the petitioner should approach the JMFC for the relief sought.

I do not find any fault with the order made by the learned Sessions Judge, asking the petitioner to appear before the Magistrate, but then it is not worthwhile to ask the petitioner to approach various forums.

In that view of the matter, without finding any fault with the order made by the trial Court issuing non-bailable warrant, I think the petitioner should be given an opportunity as a last chance to hereinafter cooperate in disposal of the case. In the result, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-14916 of 2017 is allowed.
- (iii) Impugned order dated 07.02.2017 is set aside.
- (iv) The petitioner is granted anticipatory bail in the present case on the bonds already furnished by him before the trial Court.
- (v) The petitioner would continue to appear before the trial Court with promptitude till the completion of trial.
- (vi) Any further failure on the part of the petitioner shall result into trial Court taking him in custody.

Disposed of accordingly.

1ST MAY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.