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

**CRM-M-24718-2017
Date of Decision: 14.07.2017**

Virender Kumar Bhatia

..... Petitioner

Versus

Ranjit Singh and another

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rajeev Godara, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

The petitioner is the sole accused in a complaint case filed at the instance of respondent No.1 registered under Section 138 of the Negotiable Instruments Act (in short 'NI Act').

2. His contention is that neither notice/summons was served upon him nor he was aware of any other process to compel his appearance before the Ld. trial Court. Nevertheless, he was declared a proclaimed offender by the Ld. trial Court vide order dated 03.06.2017 (Annexure P-2).

3. The anticipatory bail application preferred by him against that order was dismissed by the Ld. Additional Sessions Judge, Patiala, vide order dated 06.07.2017 (Annexure P-4) in which it was mentioned that the offence under Section 138 of the NI Act being bailable, he may get bail as a matter of right from the trial Court itself.

4. The reasoning of the Ld. Additional Sessions Judge cannot *per se* be have to be perverse.

5. However, considering the submissions made on behalf of the petitioner that he is willing to surrender before the Ld. trial Court, this petition is disposed of with liberty to the petitioner to surrender before the trial Court within a week from the date of receipt of certified copy of this order and after which the Ld. Court below may consider his application for bail, if any, filed in accordance with law.

14.07.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No