

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

**CRM-M-25373-2017
Date of Decision: 18.07.2017**

Amarjit Chatha

..... Petitioner

Versus

M/s Malwa (Ludhiana) Motor Finance Ltd.

..... Respondent

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mohd. Yousaf, Advocate for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

This is a petition filed under Section 438 of the Cr.P.C. seeking anticipatory bail on behalf of the petitioner, who is the accused in the complaint filed under Section 138 of the Negotiable Instruments Act.

It transpires that after having appeared before the Ld. trial Court, the petitioner, subsequently, absented from the proceedings and was, therefore, declared a Proclaimed Person after his attendance could not be secured.

In the opinion of this Court, the petition is misconceived inasmuch as the offence involved is bailable. However, considering the past conduct of the petitioner, the trial Court would be well within its right to impose appropriate stringent conditions in granting fresh bail to the petitioner including surrender of his passport.

With the above observations, the present petition is dismissed with liberty to the petitioner to surrender before the trial Court within a week after which his bail application may be decided expeditiously by the said Court.

18.07.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes
2. Whether reportable: No