

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

105

**CRM-M-44360-2017
DATE OF DECISION:22.11.2017**

RAJINDER PAL

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANR.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking pre-arrest bail in criminal complaint No.3350 dated 01.09.2016, under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as 'the N.I. Act').

Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court earlier as the matter was being compromised. Although the talks of compromise are still going on but they have not fructified till date. Learned counsel prays for only one opportunity to appear before the trial Court and contends that he may be protected from arrest. He also contends that the Additional Sessions Judge, Sangrur by the order dated 31.10.2017 had observed that the petitioner may appear before the trial Court and has nothing to fear but the petitioner apprehends that although the offence under Section 138 of the N.I. Act is bailable but he may be arrested in the case as he had not appeared before the trial Court on one date due to some

unavoidable circumstance although, he was directed to do so by the trial Court.

In view of the limited prayer of the petitioner and offence under Section 138 of the N.I. Act being bailable, I intend to dispose of this petition without issuance of notice to the respondents.

The petitioner is an accused in complaint under Section 138 of the N.I. Act. He intends to appear before the trial Court and is only seeking protection from arrest. The offence under Section 138 of N.I. Act is bailable.

Consequently, the petition is disposed of with liberty to the petitioner to appear before the trial Court within a period of 07 days and on doing so, he shall be granted bail on his furnishing requisite bonds to its satisfaction. However, the petitioner shall henceforth, appear before the trial Court on every date and not absent himself during the trial except with the prior permission of the trial Court.

22.11.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned :	Yes / No
Whether reportable :	Yes / No