

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

CRL. MISC. No.M-46813 OF 2017 (O&M)
DATE OF DECISION : 13th DECEMBER, 2017

Gurdeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. J. K. Singla, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this second petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.115 dated 09.09.2017 registered under Sections 174-A IPC at Police Station Phul, District Bathinda.

Notice of motion.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab, accepts notice on behalf of the State of Punjab.

Rule.

Heard forthwith with consent of counsel for the rival parties.

It is not in dispute that petitioner's first petition for anticipatory bail was dismissed as withdrawn vide order dated 24.11.2017 passed in CRM-M-44452-2017 on the ground that the order declaring the petitioner as proclaimed offender is staring at face.

This is second petition filed by the petitioner for anticipatory bail since the petitioner was declared as proclaimed offender. The said order is under challenge in CRM-M-45858-2017, in which notice of motion has been issued by this Court. In the present petition for

anticipatory bail, upon going to the root of the matter, I find that the cheque amount of ₹50,000/- was the subject matter of the criminal complaint under Section 138 of Negotiable Instruments Act and the petitioner has been filing cases after cases due to the adverse order passed against him.

Learned counsel for the petitioner makes a categorical statement that the petitioner has compromised the matter with the complainant and not only that he has also paid back the cheque amount. In view of the above fact the petitioner is not required to move here and there. In that view of the matter, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-46813 OF 2017 is allowed.
- (iii) The petitioner is directed to surrender before the trial Court and in the event of arrest in this FIR, the petitioner be released on bail, on furnishing of his bail bonds amounting to ₹10,000/- with one surety in the like amount to the satisfaction of the trial Court. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.
- (iv) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (v) The petitioner shall 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 taking him in custody by the trial Court.

13th DECEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned : *Yes* *No*

Whether Reportable : *Yes* *No*