

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-26052-2018 (O&M)

Date of decision: 14.06.2018

**Rajan Grover**

**....Petitioner**

**Versus**

**State of Haryana and another**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Manish Soni, Advocate  
for the petitioner.

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**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this petition is for setting aside the impugned order dated 30.03.2018 (Annexure P-5) passed by the Additional Sessions Judge, Gurugram in Criminal Appeal No.1642 of 2017 titled as Rajan Grover Vs. Sunil Kumar and another (Annexure P-3) filed by the petitioner against the judgment of conviction dated 23.02.2017 and order of sentence dated 02.03.2017 passed by the trial Court in Criminal Complaint No.1311 dated 10.09.2014 filed under Sections 138 & 141 of the Negotiable Instruments Act (for short 'N.I. Act'), vide which bail of the petitioner has been cancelled and bail bonds were forfeited and warrants of arrest have been issued against the petitioner.

Learned counsel for the petitioner submits that the petitioner was convicted vide judgment dated 23.02.2017 under Section 138 of N.I.

Act and was sentenced to undergo rigorous imprisonment for two years vide order of sentence dated 02.03.2017. It is further submitted that the petitioner has filed CrI. Appeal No.1642 of 2017, which is pending before the lower appellate Court and the petitioner was granted the concession of suspension of sentence.

Learned counsel for the petitioner further submits that on 30.03.2018, the petitioner was unwell and he could not appear before the lower appellate Court and on that account, his bail/surety bonds were cancelled and fresh warrants of arrest were issued. It is further submitted that in fact, two appeals were pending between the parties and similar order was passed in another appeal, which was challenged by the petitioner by way of filing CRM-M-24676-2018 and the same was disposed of vide order dated 01.06.2018, by directing the petitioner to surrender before the appellate Court and the appellate Court was directed to release the petitioner on interim bail. Counsel for the petitioner has further submitted that the petitioner undertakes to appear before the appellate Court and apply for fresh bail.

Notice of motion to respondent No.1 at this stage.

On asking of the Court, Mr. Ashok Muthreja, DAG, Haryana accepts notice on behalf of respondent No.1.

Considering the fact that against the similar order passed in the another appeal, this Court has allowed the aforesaid petition, granting bail to the petitioner vide order dated 01.06.2018, this petition is also disposed of in the same terms. The petitioner shall surrender before the appellate

Court on or before 10.07.2018 and he shall be released on bail on furnishing his fresh bail/surety bonds subject to the satisfaction of the appellate Court.

Disposed of.

14.06.2018  
*vishnu*

[ ARVIND SINGH SANGWAN ]  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |