

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26627-2018
Date of Order: 25.06.2018

JAGJEET SINGH

..Petitioner

Versus

KARAMJIT SINGH AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Narender Singh Kamboj, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Petitioner before this court is facing trial in a criminal complaint under Section 138 of the Negotiable Instruments Act. He was granted bail on being summoned. However, the petitioner did not appear on 23.04.2018 and the learned trial court ordered issuance of non-bailable warrants of arrest.

Petitioner filed an application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail.

Learned Additional Sessions Judge has held that the offence is bailable and, therefore, application under Section 438 of the Code of Criminal Procedure is not maintainable. However, the learned Additional Sessions Judge has directed the petitioner to surrender before the trial court and file a regular bail application.

The only prayer made before this court is to direct the trial court to decide the application to be filed for release of the petitioner on bail on the same day.

Keeping in view the prayer made, this Court is of the considered opinion that no notice is required to be issued as the order proposed to be passed is innocuous.

In view of what has been recorded hereinabove, the learned trial Court is directed to decide the application on the same day when the application for release of the petitioner on bail is filed.

Petition stands disposed of accordingly.

June 25, 2018
nt

(ANIL KSHETARPAL)
JUDGE

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