

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

CRM-M-32830-2018 (O&M)

Date of Decision:- 10.8.2018

Jeet Lal		... Petitioner
	Versus	
Bank of India and another		... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prashant Bansal, Advocate, for the petitioner.

Mr. Nitin Malhotra, Senior Branch Manager,
for respondent No.1.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Jeet Lal has filed this petition seeking grant of regular bail consequent upon his bail having been cancelled by the learned lower Appellate Court.

The petitioner had been convicted by learned Judicial Magistrate 1st Class, Rajpura vide judgment dated 28.10.2017 for having committed an offence punishable under Section 138 of Negotiable Instruments Act, 1881 and had been sentenced to undergo rigorous imprisonment for 6 months and also to pay fine of ₹500/- on account of dishonour of a cheque for an amount of ₹37,339/-.

The petitioner filed an appeal challenging the aforesaid judgment dated 28.10.2017 wherein the sentence of imprisonment was suspended. However, subsequently on account of his absence, the lower

Appellate Court cancelled his bail. Subsequently, the petitioner surrendered before the lower Appellate Court on 6.7.2018 and moved an application for grant of regular bail which has been dismissed by the learned Additional Sessions Judge, Patiala vide order dated 11.7.2018.

The learned counsel for the petitioner has submitted that a loan had been raised by the petitioner for purchasing a tempo but it was on account of certain unavoidable circumstances that he could not arrange for funds to pay off some of the installments in time leading to dishonour of cheque. Learned counsel has further submitted that subsequently he had approached the Bank and a compromise Annexure P-3 and P-4 has been effected with the Bank and pursuant to the said compromise an amount of ₹35,000/- had already been paid and it has been agreed that the remaining ₹85,000/- would be paid within 60 days.

Today Sh. Nitin Malhotra, Senior Branch Manager, Rajpura Township Branch is present in Court and admitted the factum of compromise.

In view of the aforestated position, the petition is accepted. Petitioner Jeet Lal is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned lower Appellate Court, Patiala.

This petition stands accepted accordingly.

August 10, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No