

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

CRM-M-37057 of 2018.

Decided on:-August 28, 2018.

Jogha Singh.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. R.K. Arya, Advocate for
Mr. Rupinderpal Singh Dhillon, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in complaint case No.69 dated 10.12.2015 filed under Section 138 of the Negotiable Instruments Act, 1881 (for short, the Act) pending before learned Judicial Magistrate 1st Class, Batala, wherein vide order dated 18.02.2017, the petitioner has been declared as proclaimed person.

Learned counsel for the petitioner states that vide order dated 02.08.2018, learned Additional Sessions Judge, Gurdaspur, while declining the application for anticipatory bail of the petitioner has directed the petitioner to surrender before the trial Court within 10 days and to move a regular bail application. It was further directed that the trial Court would decide the bail application, but no protection was granted to the petitioner.

He further states that the offence under Section 138 of the Act is bailable in nature and the petitioner is ready to surrender before the trial Court within a week.

I have heard learned counsel for the petitioner.

The petitioner is directed to surrender before the trial Court within a week from today and on doing so, he shall be admitted on bail on his furnishing fresh bail bonds and surety bonds to the satisfaction of learned trial Court, however, subject to payment of Rs.10,000/- as costs to be deposited in the Kerala Chief Minister's Distress Relief Fund towards relief to Kerala flood victims.

The petition is being disposed of at this stage, without issuing notice to the respondent, as it would not only cause delay in the proceedings, rather offence under Section 138 of the Act is bailable.

August 28, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No