

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

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CRM-M-38965-2018

Date of Decision: September 06, 2018

Om Sai Enterprises and another

.....Petitioner(s)

versus

M/s Saini Sons and another

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Rajesh Gupta, Advocate
for the petitioners.

Sudhir Mittal, J. (Oral)

The present petition under section 482 of the Code of Criminal Procedure, 1973 (for short “the Code”) has been filed for quashing of complaint No.309/09.03.2015/13.02.2015 (227/09.03.2015/13.12.2015) (CNR No. HRAM03-001453-2015), under section 138 of Negotiable Instruments Act, 1881 as well as for quashing of order dated 25.04.2018 (Annexure P-6) vide which the bail of the petitioner was cancelled and also order dated 07.08.2018 (Annexure P-10) vide which proclamation under section 82 of the Code has been issued against him.

2. Learned counsel for the petitioners confines his prayer to setting aside the order dated 25.04.2018 (Annexure P-6) as well as the proclamation dated 07.08.2018 (Annexure P-10).

3. In view of the above, the petition is allowed partially; the impugned orders dated 25.04.2018 (Annexure P-6) and 07.08.2018 (Annexure P-10) respectively are set aside and the petitioner-Vishal Saini is directed to surrender before the trial Court on 11.09.2018 and seek regular bail. In case, he does so and

moves an application for regular bail, the trial Court shall allow him regular bail subject to its satisfaction and subject to his undertaking to remain present on all the dates of hearing of the case. In case of a single default, bail granted to the petitioner shall stand cancelled automatically.

September 06, 2018

*sonia arora***[SUDHIR MITTAL]****JUDGE**

Whether speaking/reasoned :	Yes
Whether Reportable :	No