

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

**CRM-M-46306-2018
Date of decision: 27.11.2018**

Om Parkash

...Petitioner

Versus

Shammi Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. K. Arora, Advocate
for the petitioner.

Mr. Sumeet Sagar Maini, Advocate
for respondent No. 1/complainant.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in complaint case bearing No. NACT/610/2017 dated 30.10.2017, titled as “*Shammi Kumar vs. Om Parkash*”, filed under Section 138 of the Negotiable Instruments Act, 1881, pending in the Court of JMIC, Faridkot.

On 17.10.2018, the following order was passed:

“Learned counsel for the petitioner submits that the petitioner was granted regular bail and regularly appearing before the trial Court. However, on 28.08.2018, on account of ill health, he could not appear before the trial Court and his bail and surety bonds were cancelled and non-bailable warrants have been issued against the petitioner. Learned counsel for the petitioner further submits that the petitioner is ready to surrender before the trial Court and apply for fresh bail. Notice of motion for 27.11.2018. In the meantime, petitioner is directed to surrender before

the trial Court within a period of 10 days from today and the trial Court shall release the petitioner on bail on furnishing fresh bail and surety bonds and on payment of cost of Rs. 5,000/- to be paid to the complainant.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the orders dated 17.10.2018 and 13.11.2018, has already appeared before the trial Court and has been released on interim bail on furnishing bail/surety bonds and on payment of cost of ₹5,000/- to the complainant, as directed by this Court.

Learned counsel for the State has not disputed the factual position.

In view of the above, the petition is allowed and order dated 17.10.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

November 27, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No