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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2018 18:26
I attest to the accuracy and
authenticity of this document

CRM-M- 48789-2018 (O/M)
Date of decision : 1.11.2018

Dr. Balwinder Dhawan Singh Petitioner (s)

Versus

State of Punjab and another Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Behl, Advocate,
for petitioner.

-:-

-:-

KULDIP SINGH, J. (ORAL)

Heard.

Petitioner is facing trial for offence punishable under Section 138 of Negotiable Instruments Act, 1881. He remained absent on 23.10.2017 and his non bailable warrants of arrest were issued. Thereafter, petitioner approached the Court of learned Sessions Judge, Ludhiana, who allowed interim bail to petitioner, subject to payment of Rs. 3,000/- as costs, out of which Rs. 1,000/- was ordered to be deposited with District Legal Services Authority, Ludhiana, and Rs. 2,000/- was ordered to be paid to complainant. In spite of that, petitioner failed to comply with the interim order and his bail application was dismissed.

The learned counsel for petitioner contends that younger brother of petitioner died and his counsel also died. Therefore, he was under depression and could not deposit costs.

Considering that offence under Section 138 of Negotiable Instruments Act, 1881, is bailable offence, petition is disposed of with a direction to petitioner to surrender before the trial Court within one week and file application for regular bail. The application for regular bail, if so

filed, shall be decided on the same day after issuing notice to counsel for complainant. However, petitioner will have to deposit Rs. 3,000/- in terms of orders of learned Sessions Judge, Ludhiana.

(KULDIP SINGH)
JUDGE

1.11.2018
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No