

Sr. No.211

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

CRM No. M-48509 of 2017 (O&M)

Date of Decision: 23.02.2018

Gulshan Masih

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vinay Kumar Gupta, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant petition has been preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in complaint No.311 dated 10.08.2015, under Section 138 read with Section 142 of the Negotiable Instruments Act 1881.

During the course of arguments, it has gone uncontroverted that the petitioner absented from trial proceedings on 21.02.2017 and accordingly the concession of bail that had earlier been granted to him was cancelled and his bail bonds and surety bonds were forfeited.

Court on account of proceedings being under the provisions of Negotiable Instruments Act had shown indulgence and had recorded undertaking of the counsel on 19.12.2017 that the petitioner would duly appear before the trial Court.

Accordingly, directions were issued for the petitioner to surrender

before the trial Court within a period of one week commencing from 19.12.2017 and in the eventuality of the petitioner doing so he would be admitted to interim bail subject to satisfaction of the trial Court.

Counsel for the petitioner concedes that petitioner has not appeared before the trial Court in spite of an opportunity having been granted.

Conduct of the petitioner disentitles him from the concession of pre arrest bail.

Petition dismissed.

23.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No