

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

**CRM-M No. 49685 of 2018
Date of Decision:-22.02.2019**

Sunny Dhami alias Neeraj

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Aman Deep Singh Rai, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. B.R. Rana, Advocate
for respondent No.2.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in Criminal Complaint case No.COMA/2092/2015, Filing No.3066/2015, Filing date 06.4.2015, Registration No.2092/2015, Registration date 07.4.2015, CNR No.PBLD03-003878-2015, case titled 'Rakesh Kumar Bansal vs. Sunny Dhami @ Neeraj', under Section 138 of Negotiable Instruments Act read with Section 420 IPC, pending in the Court of Judicial Magistrate 1st Class, Ludhiana.

On 13.11.2018, this Court had passed the following order :-

“Learned counsel for the petitioner submitted that petitioner was earlier on bail in a complaint case under Section 138 of Negotiable Instruments Act but he could not appear on 20.08.2018 and 29.08.2018, therefore his

bail was cancelled and bail bonds were forfeited to the State. He further submitted that petitioner was suffering from serious ailment and has placed on record copy of his medical certificate (Annexure P-2) wherein it is mentioned that he was advised to take rest from 08.08.2018 to 24.08.2018.

Notice of motion for 20.12.2018.

Meanwhile, petitioner is directed to surrender before the learned trial court within seven days and on doing so, he shall be released on bail by that court to its satisfaction.”

In compliance of the said order, the petitioner submitted himself before the trial Court on 19.11.2018 and furnished the requisite bail bonds and surety bonds, which were accepted by the trial Court. Copy of the order dated 19.11.2018 passed by the trial Court has been placed on record.

This fact is not disputed by learned counsel appearing for the complainant.

In view of the above, the petition is allowed and the petitioner shall remain on bail and on the same bail bonds and surety bonds already furnished by him before the trial Court, in compliance of order dated 13.11.2018 passed by this Court.

February 22, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No