

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

CRM-M-30433-2019 (O&M)

Date of decision : 19.07.2019

Abhay Singh Yadav

...Petitioner

Versus

Prashant Gupta and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vaibhav Goel, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Petitioner, a convict in offence under Section 138 of the Negotiable Instruments Act had filed an appeal in which he was granted concession of suspension of sentence.

Learned counsel for the petitioner has informed this Court that pursuant to the direction issued by the Appellate Court under Section 138 of the Negotiable Instruments Act, ₹4,50,000/- out of ₹13,00,000/- has been deposited. He further submits that the Bar Association has suspended the work and, therefore, on the wrong advice of the counsel, petitioner did not put in appearance before the Court resulting in cancellation of bail and forfeiture of bonds. He further submits that the petitioner is now sought to be arrested because of non-bailable warrants.

Keeping in view the assertions made by learned counsel for the petitioner, present petition is allowed. Order dated 10.07.2019 passed by

Additional Sessions Judge, Narnaul is set aside subject to the condition that the petitioner would appear before the First Appellate Court within 10 days and furnish fresh bail bonds/surety bonds to the satisfaction of the Appellate Court. Once bail bonds/surety bonds are furnished, Appellate Court would enlarge petitioner on bail.

19.07.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No