

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

101+215

**CRM-M-34058-2019 (O&M)
Date of Decision: 12.09.2019.**

Naveen

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Manoj Pundir, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

CRM-27843-2019

Documents Annexure P7 and P8 are taken on record, subject to all just exceptions.

CRM stands disposed of.

CRM-M-34058-2019

Present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner, who was declared proclaimed offender in a case under Section 138 of the Negotiable Instruments Act.

Learned counsel for the petitioner contended that the petitioner was released on bail in a case under Section 138 of the N.I. Act, by learned trial Judge and he is ready to join the investigation in this case as well. Since, the offence under Section 174-A of IPC is an independent offence and the plea taken by learned counsel for the petitioner is that the petitioner

had not been served with clear notice of 30 days. This fact is to be verified

from the record which is available with the same Court, who declared him proclaimed offender. As such, the present petition is not maintainable and the same stands dismissed.

However, if petitioner surrenders before the trial Judge, within one week from today and moves application for regular bail, the same shall be decided by the trial judge within 10 days. Petitioner shall be at liberty to take all the pleas, which have been taken in the present petition, before the trial Judge. The trial Judge shall decide the application after taking into consideration all the facts.

(SHEKHER DHAWAN)
JUDGE

12.09.2019

komal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No