

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

**CRM-M-34413-2019
Date of decision: 23.09.2019**

Vinod Garg

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

None for respondent No. 2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in Criminal Appeal No.256/2018 titled as Vinod Kumar Vs. Jaswinder Singh, arising out of Criminal Complaint No.NACT 51 of 2016 filed under Section 138 of the Negotiable Instruments Act.

On 27.08.2019, the following order was passed:

“Learned counsel for the petitioner submits that the petitioner has filed an appeal challenging the judgment dated 29.08.2018 passed by the trial Court, convicting him and order of sentence, vide which he was sentenced to undergo simple imprisonment for two years and to pay compensation to the tune of double of the cheque amount. It is further submitted that the case was listed on 24.04.2019 and was adjourned to 07.08.2019, however, the petitioner has wrongly noted the date as 08.08.2019 and therefore, he could not appear before the lower appellate Court and his bail/surety bonds were forfeited and warrants of arrest are issued.

A perusal of the order dated 19.04.2018 passed by this Court shows that even on an earlier occasion, the petitioner jumped the bail during pendency of the trial and he was granted the concession of bail on payment of costs of Rs.2,000/-.

Notice of motion for 23.09.2019.

Considering the fact that the petitioner has immediately approached this Court for grant of anticipatory bail, he is directed to appear before the lower appellate Court within a period of 10 days from today and the lower appellate Court will release him on interim bail subject to furnishing his fresh bail/surety bonds and on payment of costs of Rs.5,000/- to be deposited with the District Legal Services Authority, concerned.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 27.08.2019, has already appeared before the lower appellate Court and has been released on interim bail on deposit of costs of Rs. 5,000/- with the District Legal Services Authority. A copy of the order dated 03.09.2019, passed by the lower appellate Court, in this regard, is also placed on record.

In view of the above, the petition is allowed and order dated 27.08.2019 is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.09.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No