

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45522- 2019 (O&M)

Date of Decision :24.10.2019

Jagan Nath Bhandari

....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr.Sumit Gupta, Advocate for the petitioner

ANIL KSHETARPAL, J.(ORAL)

Petitioner prays for pre-arrest bail in criminal complaint No. 267 filed under Section 138 of Negotiable Instruments Act.

In the considered view of this Court, petition for pre-arrest bail is not maintainable, as correctly held by learned Court of Sessions. However, on the oral request of the learned counsel for the petitioner, the present petition is treated as the one filed under Section 482 Cr.P.C.

Petitioner did not appear on 30.8.2019 resulting in cancellation of bail and forfeiture of surety bonds. Petitioner, thereafter, applied for grant of anticipatory bail which has been dismissed by the Court of Sessions.

Learned counsel for the petitioner submits that case is now fixed for 29.10.2019 and if given an opportunity, petitioner would surrender before the Trial Court on the said date and furnish fresh bail bonds with surety of the like amount to the satisfaction of the Trial Court and also file an affidavit that he shall not remain absent unless exemption from personal appearance, in advance has been granted.

Keeping in view the aforesaid facts, present petition is disposed of by directing the petitioner to surrender before Trial Court on the date fixed i.e 29.10.2019 and furnish fresh bail bonds with surety of the like amount to the satisfaction of the Trial Court. Petitioner would also be required to file affidavit as noted above. This order is conditional and shall enure to the benefit of the petitioner only on strict compliance thereof.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

24.10.2019
rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No