

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 48890 of 2019
Date of Decision: 18.11.2019**

Harinder Singh @ Harinder Singh Gill

.....Petitioner

Versus

State of U.T., Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. B.S.Chahal, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner seeks anticipatory bail in criminal complaint No. 19394 dated 22.10.2018 under Section 138 of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioner states that the petitioner was declared proclaimed offender vide order dated 27.9.2019 (Annexure P-2). As per the learned counsel for the petitioner, service has not been effected on the petitioner. He further submits that petitioner is ready to appear before the trial Court.

Notice in this case is not being issued as this would further delay the trial.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear

before the Court, then it would not be unjustified to protect him from being

arrested.

Without commenting on the merits of the case, this petition is disposed of with a direction to the petitioner to surrender before the trial Court within 10 days. On appearance, he shall be released on bail on his furnishing bail bond/surety bonds to the satisfaction of the trial Court.

(HARNARESH SINGH GILL)
JUDGE

November 18, 2019
Gurpreet

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