

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48032-2019

Date of Decision: 13.11.2019

Pritpal Singh

.. Petitioner

Vs.

Punjab National Bank

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Chhabra, Advocate for the petitioner.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in criminal complaint bearing No.COMI/113/2015, titled as 'Punjab National Bank Vs. Gurbakshish Singh and others', filed under Sections 420, 406, 465, 466, 467, 468, 471 and 120-B IPC dated 05.11.2015 pending in the Court of JMIC, Phul, District Bathinda, in which he has been summoned to face the trial.

Learned counsel for the petitioner contends that vide order dated 10.10.2019 passed by ld. Sessions Judge, Bathinda (Annexure P-2), the petitioner was directed to surrender before the trial Court within a period of 10 days and upon his appearance, the trial Court was further directed to admit him on interim bail subject to his furnishing requisite bail bonds and surety bonds. He submits that the petitioner could not comply with the said order as he had fallen sick and in support of his submission, he has placed reliance upon the prescription slip issued by Adesh Institute of Medical Sciences & Research, Bathinda dated 18.10.2019 (Annexure P-3). It is pointed out that on account of non-compliance of the order dated

10.10.2019, learned Sessions Judge, Bathinda proceeded to dismiss his petition for pre arrest bail vide order dated 23.10.2019 (Annexure P-5). He submits that he is ready and willing to appear before the trial Court as and when directed by this Court.

Considering the nature of relief prayed for, this Court is not inclined to issue notice of motion to the complainant as it may cause unnecessary burden upon him. However, it shall be open for the respondent to seek recall of this order in case the petitioner has misled this Court.

Let the petitioner submit himself before the trial Court on or before 20.11.2019 and upon his appearance, the trial Court shall admit him on interim bail subject to his furnishing requisite bail bonds and surety bonds.

In view of above, the order dated 23.10.2019 (Annexure P-5) is set aside and the bail application i.e. CIS No.BA-3129/2019 dated 10.10.2019, filed by the petitioner before the Court below is restored and the same shall be finally decided on 28.11.2019, after hearing the parties.

It is made clear that in case the petitioner does not appear before the trial Court within the stipulated time, the present petition shall be deemed to be dismissed.

This petition is disposed off.

13.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No