

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

CRM-M-50735 of 2019 (O&M)

Date of decision: 20.12.2019

Surinder Kumar Khosla

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Rakesh Sobti, Advocate for the petitioner.

HARINDER SINGH SIDHU, J.

Crl.M.No.39877 of 2019

Prayer is for preponement of date of hearing.

Application is allowed and the date of hearing is preponed to be taken up today itself.

Main case

Prayer is for grant of regular bail in Criminal complaint bearing Nact No.462 dated 13.10.2016 under Section 138 of the Negotiable Instruments Act, 1881 (for short "the Act"), which is pending before the court of learned JMIC, Batala, Gurdaspur.

The complaint was filed by one Jasdev Singh-complainant for dishonor of two cheque bearing Nos.603693 and 603695 dated 04.07.2016 and 25.07.2016 respectively amounting to Rs.2,50,000/- each issued by the petitioner.

The petitioner was earlier declared as proclaimed person on 09.11.2017. He appeared before the trial Court and was released on bail on the same date after having filed an application in this respect. Thereafter, he was regularly appearing before the trial Court, however, on 27.03.2019, the petitioner did not appear whereafter he was again declared as

proclaimed person.

Learned counsel for the petitioner states that the non-appearance of the petitioner was not intentional. In the first instance, the petitioner was served with no notice whereas on the later occasion, his father had died on 14.1.2019 and thus his absence was not deliberate. He undertakes that the petitioner shall appear before the learned trial Court on any date to be fixed by this Court.

Notice of motion.

Mr. K.S. Aulakh DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on 07.01.2020. On his doing so, he shall be released on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the trial Court to continue appearing before the Court as and when required apart from following all the terms and conditions fixed in this respect.

This shall, however, subject to payment of Rs.5000/- as costs to be deposited by the petitioner with the District Legal Services Authority, Gurdaspur.

December 20, 2019
manoj

(Harinder Singh Sidhu)
Judge