

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

CRM-M-51505-2019

Date of Decision:04.12.2019

Balwinder Singh

... Petitioner

Versus

Gurnam Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Varun Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (Oral)

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in complaint bearing CIS No.NACT-3169-2018 dated 25.05.2018, under Section 138 of the Negotiable Instruments Act, 1881, titled as 'Gurnam Singh Vs. Balwinder Singh'.

Learned counsel for the petitioner submits that the petitioner had never been served in the complaint case as is evident from the order dated 18.10.2019 passed by the trial Court and arrest warrant had been issued against him. He further submits that the proceedings before the trial Court are at initial stage and the petitioner is ready to surrender and face the prosecution before the trial Court.

I have heard the learned counsel for the petitioner and am of the view that it being a complaint case, the petitioner is not required for any investigation purposes, rather he is only to face the trial. The issuance of notice in this case to the respondents would delay the disposal of the complaint case and, therefore, the notice is not being issued.

Keeping in view the above facts, but without commenting anything upon the merits of the case, the present petition is allowed. The petitioner is directed to surrender before the trial Court/Duty Magistrate on 12.12.2019. On his doing so, the trial Court/Duty Magistrate shall release him on bail, subject to his furnishing bail/surety bonds to its satisfaction, and further subject to making the payment of costs of Rs.10,000/- by the petitioner to respondent No.1-complainant. If the petitioner fails to comply with the aforesaid directions, the instant petition shall stand dismissed, automatically.

04.12.2019

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

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