

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
101**

CRM-M-6290-2020

Date of decision: 24.02.2020

NIRMAL SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**Present: Mr. S.C.Arora, Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

The present application has been moved for release of the petitioner under Section 438 Cr. P.C. on bail in the event of arrest/surrender before the trial Court/police in a complaint preferred under Section 138 of the Negotiable Instrument Act dated 10.10.2012 pending before the Chief Judicial Magistrate, Sri Muktsar Sahib during the pendency of the trial.

It has been pointed out that earlier the petitioner had approached this Court by filing CRM-M-6250 of 2018, whereby the said application was disposed of by observing as follows:-

“ Counsel for the petitioner, after arguing for some time, prays for withdrawal of the present petition with liberty to the petitioner to surrender before the Chief Judicial Magistrate, Sri Muktsar Sahib on 05.03.2018 and move an application for

grant of regular bail in the light of the fact that he is a proclaimed offender, which application, he prays, may be considered and decided by the Court at an early date sympathetically as the compromise has been entered into between the petitioner and the complainant who had initiated proceedings under Section 138 of the Negotiable Instrument Act where the petitioner absconded before the trial Court during the proceedings.

In view of the statement made by the learned counsel for the petitioner, the present petition is disposed of as withdrawn with liberty to the petitioner to appear before the Chief Judicial Magistrate, Sri Muktsar Sahib on or before 05.03.2018.

In case the petitioner, on surrender, moves an application for grant of regular bail, the same shall be sympathetically looked into keeping in view the alleged compromise, which has been entered into between the petitioner and the complainant-Daljit Singh and appropriate orders be passed at an early date preferably within a period of four days.”

In the light of the earlier order, which has been passed by this Court, the present application cannot be entertained and the same, therefore, stands dismissed.

February 24, 2020

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No