

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

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CRM-M-8021-2020.

Date of Decision: 25.02.2020.

Balbir Singh

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ramesh Sharma, Advocate for petitioner.

Lalit Batra, J.(Oral)

This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail to petitioner in Criminal Complaint bearing No.COMA 697 of 2017 titled “HDFC Bank Ltd. Vs. Balbir Singh” under Section 138 of Negotiable Instruments Act.

Learned counsel for the petitioner *inter alia* contends that after having received summons from trial Court, petitioner had contacted Manager of complainant-Bank and then on the assurance given by the Manager, he had deposited a sum of Rs.4,80,000/- and then Rs.1,25,000/- with complainant-Bank under bonafide impression that complainant-Bank shall withdraw the complaint. He further submits that on account of above said assurance, petitioner did not appear in Court lateron and as such, vide order dated 04.07.2018, he was declared proclaimed person. He further submits that petitioner is ready to join the proceedings of complaint and he may be extended concession of pre-arrest bail.

Assuming for the sake of arguments that some sort of assurance was given to the petitioner by complainant-Bank but it was incumbent upon his part to appear in the trial Court and face trial, but on account on his repeated defaults, vide order dated 04.07.2018, petitioner was declared proclaimed person.

In view of above, no extraordinary ground is made out in favour of the petitioner for grant of pre-arrest bail and, thus, instant petition is dismissed.

(LALIT BATRA)
JUDGE

25.02.2020

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No