

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-22296-2020(O&M)

Date of Decision:11.08.2020

BAHADUR SINGH

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Nain, Advocate,
for the petitioner.

ANIL KSHETARPAL, J (Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Although, the petition under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner is not maintainable, however, in the facts of the case, the present petition is treated to have been filed under Section 482 Cr.P.C.

The petitioner was impleaded as an accused in a criminal complaint filed under Section 138 of the Negotiable Instrument Act, 1881. On account of his non-appearance, he was declared proclaimed person which resulted in registration of FIR No.540 dated 28.04.2018, at Police Station Jagadhari, District Yamuna Nagar.

Learned counsel for the petitioner has drawn attention of the court to an order dated 08.12.2018, passed in a criminal complaint by which the aforesaid complaint has been withdrawn by M/s Cholamandlam Investment and Finance Company Ltd.

The present FIR was registered as the petitioner was declared proclaimed person.

Keeping in view the aforesaid facts, the petitioner is directed to

surrender before the trial court within a period of 15 days and apply for bail. If the petitioner complies with the aforesaid direction, he shall be released on bail subject to furnishing bail bonds with surety of the like amount to the satisfaction of the trial Court/Duty Magistrate.

Disposed of accordingly.

August 11, 2020
nt

(ANIL KSHETARPAL)
JUDGE

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