

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103/2)

CRM-M-32056 of 2020

Date of Decision: 12.10.2020

Anoop Garg

...Petitioner

Versus

State of Haryana and another

...Respondents

2)

CRM-M-32301 of 2020

Anoop Garg

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Saransh Sabharwal, Advocate, for the petitioner.
Mr. Deepak Bhardwaj, DAG, Haryana.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail in the complaint bearing No.NACT/1080/2014 instituted on 16.12.2014 (titled as Rajindra Bhamisra v. BRS Institute of Medical Sciences, Dental College and Hospital and another, pending in the court of the JMIC, Panchkula), registered under the provisions of Section 138 of the Negotiable Instruments Act, 1881.

The petitioner already having been admitted to bail vide an order passed by the trial court in September 2020 as regards the complaint

pending against him under the said provisions, I see no reason to entertain this petition which is consequently dismissed.

CRM-M-32301 of 2020

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.154, dated 09.03.2018, having been registered at Police Station Sector-5, District Panchkula, alleging therein the commission of an offence punishable under Section 174-A of the IPC.

Learned counsel for the petitioner submits that though the petitioner was declared to be a proclaimed offender on 13.11.2017 due to his non-appearance in the complaint registered under the provisions of Section 138 of the Negotiable Instruments Act, 1881, he thereafter however has been regularly appearing in that case. However, his application seeking anticipatory in the present case has been dismissed by the learned Addl. Sessions Judge, on 01.10.2020.

Notice of motion.

Mr.Deepak Bhardwaj, learned DAG, Haryana, accepts notice at the asking of the court.

He submits that the petitioner having been declared to be a proclaimed offender and therefore an offence punishable under Section 174-A of the IPC being a separate offence altogether, he does not deserve to be admitted to bail.

Having considered the matter, though otherwise learned State counsel is obviously correct, but with the petitioner stated to have been regularly appearing in the case in which he was facing trial, without making any comment on the actual merits of the case, he is directed to surrender before

the trial court in the case registered against him under Section 174-A of the IPC, within one week; and upon him doing so, he would be admitted to interim bail to the satisfaction of that court, till the next date of hearing before this court.

Adjourned to 17.11.2020.

A copy of this order be placed on the file of the another connected matter too.

12.10.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No