

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

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IN VIRTUAL COURT

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CRM-M No. 35112 of 2020

Date of decision : 2.11.2020

Amit Goyal

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Kunal Dawar, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed praying for releasing the petitioner on bail in 55 complaints under Section 138 of the Negotiable Instruments Act, 1881 (in short 'the Act'), pursuant to various orders granting him bail, on furnishing of his personal bonds, in view of Sections 436 and 436A of Cr.P.C., as the petitioner is unable to arrange a surety. Further prayer of the petitioner is for setting aside/modification of order dated 8.9.2020, passed by the Additional Sessions Judge, Faridabad in CRR No. 172 of 2020, titled as 'Amit Goyal v. State of Haryana and another', and the order dated 6.6.2020, passed by the JMIC, Faridabad in case bearing NACT No. 3736 of 2016, titled as 'Devi Ram Saini v. Amit Goyal', wherein the said prayer has been rejected and the petitioner has been directed to arrange one surety of Rs.40 lakhs for 40 cases.

The perusal of the record shows that the grievance of the petitioner has already been considered by the Court of Additional Sessions Judge, Faridabad. Vide order dated 8.9.2020, the Additional Sessions Judge has allowed the revision petition filed by the petitioner and directed the trial Court

to consider seeking one surety worth Rs.40 lakhs; meant for all the 40 cases, which were pointed out by the petitioner before the Court of Additional Sessions Judge. Now the counsel for the petitioner has submitted that, in fact, the total cases pending against the petitioner as of today, are 55 in number. Hence, it is prayed that the order passed by the Court of Additional Sessions Judge, be extended to all the 55 cases, which are pending against the petitioner; instead of restricting that order to 40 cases.

This Court finds that the order passed by the Court of additional Sessions Judge is a well reasoned order. However, keeping in view the fact that the petitioner is facing summary trial in 55 cases under Section 138 of the N.I. Act; and he has already undergone about one and a half year of sentence, therefore, the grievance of the petitioner also appears to be genuine, limited to the aspect that the surety to be furnished by the petitioner, pursuant to the order passed by the court of Additional Sessions Judge, be extended to all the 55 cases, which are pending against him..

In view of the above, the present petition is disposed of by modifying the order dated 8.9.2020, passed by the Additional Sessions Judge, Faridabad, to the extent that the said order shall be applicable qua all the 55 cases, pending against the petitioner as of today. However, the present order shall not be deemed to be conferring any other benefit of any kind upon the petitioner.

(RAJBIR SEHRAWAT)
JUDGE

2.11.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No