

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

CRM-M-53035-2019
Date of decision: 10.02.2020

Gaurav Nirwania

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Anuj Garg, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. V. K. Gupta, Advocate
for respondent No. 2/complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in complaint case bearing No. NACT/149/2014 dated 15.03.2014 filed under Section 138 of N.I. Act read with Section 420 IPC, titled as ***Raja Gears Vs. Gaurav***.

On 12.12.2019, the following order was passed:

“Learned counsel for the petitioner submits that the petitioner has put in appearance before the trial Court and was regularly facing the trial, however, he absented from the Court proceedings on 26.03.2018. Thereafter, his bail/surety bonds were cancelled and later on, he was declared a proclaimed person on 06.08.2018. It is further submitted that on account of unavoidable circumstances, he could not appear before the Court.

Notice of motion for 10.02.2020.

In the meantime, the petitioner is directed to appear before the trial Court within a period of 10 days from today and the trial Court will release him on interim bail

subject to his furnishing fresh bail/surety bonds and on payment of costs of Rs.5,000/- to be paid to the complainant-respondent No.2.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 12.12.2019, the petitioner has appeared before the trial Court and he has been released on interim bail. It is further submitted that the petitioner has also made the payment of Rs. 5,000/- to respondent No. 2/complainant, which is not disputed by learned counsel for respondent No. 2/complainant.

In view of the above, the petition is allowed and order dated 12.12.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

10.02.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No