

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-55035-2019 (O&M)
Date of Decision:-13.3.2020

Bhushan Kumar Goyal

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.P.K. Phoolka, Advocate for the petitioner.

Mr. Randhir Singh Thind, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide Complaint No.143 dated 17.7.2018 under Section 138 read with Section 142 of Negotiable Instruments Act.
2. At the time of issuance of notice of motion on 19.12.2019, the following order was passed:

“Learned counsel for the petitioner, inter alia, contend that in complaint No. 143 dated 17.07.2018, registered against the petitioner under Section 138 read with Section 142 of Negotiable Instruments Act, 1881 he was declared as a proclaimed offender vide order dated 29.03.2019. He on instructions of the petitioner submits that the petitioner was not aware of the proceedings of the trial Court. He has further pointed out that, infact, compromise has taken place between the petitioner and respondent No.2 in ***Civil Suit No. 521 of 2018*** titled as ***Jagdev Singh Vs. Bhushan Builders***, which has been withdrawn by respondent No.2 on the basis of compromise and the

petitioner is to deposit the due amount of the cheques by 31.12.2019 and one of these cheques forms the subject matter of the present complaint also.

Learned counsel for the petitioner further submits that no useful purpose would be served with regard to this present order by which the petitioner has been declared as a proclaimed offender because the subject matter of the case has already been compromised with respondent No.2. Learned counsel for the petitioner on instructions from the petitioner, undertakes that the petitioner will surrender before the learned trial Court on or before 24.12.2019.

Notice of motion for 27.02.2020.

In the meanwhile, the petitioner shall surrender before the trial Court on or before 24.12.2019. On doing so, he shall be admitted to bail to the satisfaction of the trial Court.

However, it is made clear that the present order of grant of interim protection shall be operative only till 24.12.2019 and thereafter it shall cease automatically.”

3. The learned counsel for the petitioner has today stated at the bar that pursuant to order dated 19.12.2019, the petitioner appeared before the Trial Court and has since been granted interim bail.
4. Keeping in view the aforestated position and the fact that a compromise is stated to have been effected amongst the parties, the petition is accepted and the interim directions issued by this Court vide order 19.12.2019 are hereby made absolute. The petitioner shall, however, ensure his presence before the Trial Court on each and every date.

13.3.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No