

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021-03-27 16:47
I attest to the accuracy and
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CRM-M-14021-2021

Date of decision : 26.3.2021

Partap Singh

..... Petitioner (s)

Versus

State of Haryana and another

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Rohit Mittal, Advocate
for petitioner.

Mr. Tapan Kumar, DAG Haryana.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail.

A criminal complaint under Section 138 of Negotiable Instruments Act was filed against the petitioner. Vide judgment dated 20.2.2017, learned Judicial Magistrate First Class, Narnaul, convicted the petitioner and sentenced him to undergo rigorous imprisonment for 1 years. He was further directed to pay an amount of Rs. 550000/- to complainant as compensation. Thereafter, petitioner preferred an appeal. Vide order dated 18.3.2017, sentence of petitioner was suspended during pendency of appeal. Thereafter, petitioner had been regularly appearing before learned appellate Court. However, on 21.8.2019, the application of petitioner for exemption from personal appearance was dismissed by Court. Later, warrants of arrest were issued against petitioner on 21.8.2019. Petitioner then moved an application for anticipatory bail which was dismissed by learned appellate Court, vide order dated 26.2.2021.

Learned counsel for petitioner states that non appearance of petitioner was not intentional. Petitioner was undergoing treatment from Rainbow Multispeciality Hospital at Narnaul. Petitioner is ready and willing to appear before appellate Court. The case is listed before learned appellate Court on 1.4.2021.

Notice of motion.

Mr. Tapan Kumar, DAG Haryana accepts notice on behalf of respondent State.

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Having heard learned counsel for parties and taking into account the facts of present case, this petition is disposed of with observation that petitioner may appear before learned appellate Court on or before 30.4.2021. On his doing so, he shall be released on interim bail by appellate Court subject to his furnishing bail and surety bonds to its satisfaction. He shall also file an undertaking before appellate Court to continue appearing before it as and when required apart from following all terms and conditions fixed in this respect.

(HARINDER SINGH SIDHU)
JUDGE

26.3.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No