

210

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

**CRM-M-12528-2021
Date of decision-19.08.2021**

SUNNY DHAMI ALIAS NEERAJ**...Petitioner**

Vs.

STATE OF PUNJAB AND ANOTHER**...Respondents****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Amandeep Singh Rai, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in complaint case No.2092 dated 07.04.2015 under Section 138 Negotiable Instruments Act, 1881 read with Section 420 Indian Penal Code 1860, pending before Learned Judicial Magistrate Ist Class, Ludhiana titled as Dr. Rakesh Kumar Bansal Vs. Sunny Dhami. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.03.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that petitioner was facing prosecution in a complaint case registered under Section 138 Negotiable Instruments Act, 1881

read with Section 420 IPC, who failed to appear on 17.02.2020, therefore, trial Court proceeded to cancel his bail and forfeited the bonds. It is the case of the petitioner that due to his sickness, he could not appear and instructed his counsel to move appropriate application for exemption from personal appearance, however, the said application was not moved. In support of his contention he has placed on record the prescription slip of the doctor as Annexure P-3, whereby he was advised rest for four days.

Notice of motion for 30.04.2021.

Let the petitioner appear before the trial Court on or before the next date of hearing i.e.02.04.2021 and on his appearance, he be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds.”

Learned counsel for the petitioner states that pursuant to the order dated 19.03.2021, the petitioner submitted himself before the trial Court on 01.04.2021, who was admitted on interim regular bail.

The above position is not disputed by the learned State counsel.

Considering the above, the petition is allowed and it is ordered that the petitioner shall remain on regular bail and on the same bail bonds/surety bonds furnished by him before the trial Court on 01.04.2021.

(MANOJ BAJAJ)
JUDGE

19.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No