

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.214

CRM-M-34735-2021

Date of decision: 28.10.2021

Balwinder Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case bearing CRA No.399 dated 14.07.2017 filed by the petitioner against the judgment of his conviction dated 24.05.2017 in a complaint under Section 138 of Negotiable Instruments Act, 188, as for non-appearance of the petitioner vide order dated 12.04.2019 (Annexure P-3), the Trial Court has issued non-bailable warrants.

On August 25, 2021, this Court had passed the following order:-

“The matter has been taken up through video conferencing.

Learned counsel for the petitioner inter alia contends that the petitioner did not appear before the Appellate Court on the basis of legal advice given by his counsel that after the petitioner had compromised the matter with the complainant/respondent No.2 he would withdraw his complaint.

Notice of motion.

Mr. Jagmohan S. Ghumman, DAG, Punjab accepts notice on behalf of respondent No.1.

Respondent No.2 be served dasti as also through his counsel appearing for him before the

Appellate Court.

Adjourned to 28.10.2021.

Subject to the petitioner depositing Rs.10,000/- as costs with the Poor Patient Welfare Fund, PGI MER, Chandigarh and appearing before the Appellate Court within 10 days from today, he be admitted to ad interim bail by the Appellate Court to its satisfaction.

Before the adjourned date the State shall also file a status report as to whether the petitioner has lived up to the compromise entered into between the petitioner and respondent No.2.”

The awarded costs have been deposited.

The petitioner has also appeared before the Trial Court and on such appearance has been admitted to ad-interim bail.

In the light of the above, the interim order of this Court dated 25.08.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

October 28, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE