

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

CRM-M-4038-2020

Date of decision : 14.07.2021

Ashish Tyagi

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Varuna Singh, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J (ORAL)

Case is taken up for hearing through video conferencing.

As per office report, respondent No.2 has been served, but
there is no representation on its behalf.

Through this petition, the petitioner seeks anticipatory bail
in case complaint dated 21.11.2016, registered under Sections 138 of the
Negotiable Instruments Act, 1881.

On 30.01.2020, this Court passed the following order :-

“ This is a petition for grant of anticipatory bail to the
petitioner in complaint under Section 138 of the Negotiable
Instruments Act, 1881 bearing No. NACT/212/2016 dated
21.11.2016.

Learned counsel for the petitioner submits that the
petitioner absented from the proceedings under Section 138
of the Act and therefore, he was declared as proclaimed
person and FIR under Section 174-A IPC was ordered to be

registered against him. It is further argued that nonappearance of the petitioner was on account of some serious brain disease of his father and his uncle had also died due to cancer and therefore, due to the problems in the family, he could not appear before the trial Court.

Notice of motion for 16.3.2020.

In the meantime, the petitioner is directed to surrender before the trial Court within a period of 10 days from today. On doing so, he shall be released on interim bail subject to his furnishing fresh bail bond/surety bonds to the satisfaction of the trial Court.”

It has been pointed out by learned State counsel that it is a complaint case and in pursuance to the order dated 30.01.2020 passed by this Court, the petitioner has appeared before the trial Court and granted interim bail.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 30.01.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

14.07.2021
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No