

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

Sr. No.205

CRM-M-401-2020

Date of decision :21.2.2022

Manish Lohchab

.....Petitioner

VERSUS

Dharmender

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Govind Rana, Advocate and
Mr.Kanwar Abhay Singh, Advocate for the petitioner

Mr.Sanjiv Jain, Addl.AG, Haryana

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in a Criminal Complaint No.COMA/588/2016- Dharmender vs. Manish Lohchab, dated 13.7.2016 under Section 138 Negotiable Instruments Act, 1881 (for short 'the NI Act') pending in the Court of learned Judicial Magistrate, 1st Class, Bhiwani.

In a criminal complaint filed against the petitioner by the respondent under the NI Act, the petitioner was declared a proclaimed person. On such declaration, through a petition filed under Section 438 Cr.P.C., he sought anticipatory bail from the Trial Court, on the dismissal of which, through the present petition, he seeks the same relief, which was denied to him by the Trial Court.

The present petition had come up for hearing before a Coordinate Bench, which after noticing the fact that the criminal complaint in which the petitioner had been declared a proclaimed person had itself

been withdrawn, subject to the petitioner depositing a sum of Rs.50,000/- as costs, issued notice with a further direction that if the petitioner surrenders before the Trial Court, he be admitted to interim bail to the Trial Court's satisfaction.

It is not disputed that in terms of the interim order of this Court, the petitioner has deposited Rs.50,000/- and has also surrendered before the Trial Court and that on such surrender, he has been granted interim bail by the Trial Court.

After considering the afore facts/developments, the interim protection granted to the petitioner by the Trial Court is ordered to be made absolute.

Out of Rs.50,000/- deposited by the petitioner with the Trial Court, the respondent shall be entitled to half of the amount and other half shall be transferred into the account of the District Bar Association, Bhiwani and used for the welfare of young advocates.

21.2.2022
gsv

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No