

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-32051-2022

Date of Decision: 26.7.2022

Sandeep Singh

....Petitioner

VERSUS

U.T., Chandigarh and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ankur Malik, Advocate,
for the petitioner.

Mr. Akash Yadav, Advocate, for
Mr. Abhinav Gupta, Addl. PP, UT, Chandigarh.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner seeking anticipatory bail in CRA No.33 of 2020 titled Sandeep Singh v. Housing Development Finance Corporation pending in the Court of learned Additional Sessions Judge, Chandigarh.

Counsel for the petitioner submits that the petitioner was convicted and sentenced to imprisonment and to pay fine and compensation under Section 138 of Negotiable Instruments Act by the trial Court in complaint case titled Housing Development Finance Corporationh Limited v. Sandeep Singh.

Being aggrieved, the petitioner filed appeal which is pending before the first appellate Court at Chandigarh and the petitioner was granted bail by the said Court and thereafter, the petitioner kept on appearing in the Court on each and every date of hearing. He submits that however, on

and consequently, his bail order was cancelled and he was directed to be summoned through non-bailable warrants of arrest vide order Annexure P-4.

From the perusal of the documents placed on the file, it appears that in the aforesaid appeal, the complainant moved an application under Section 148 of Negotiable Instruments Act and the same was allowed by the appellate Court and the petitioner was directed to deposit 20% of the imposed compensation amount (₹ 3 lakhs) with the trial Court before the next date of hearing vide order dated 25.8.2021 (Annexure P-3).

Admittedly, the petitioner failed to comply with the aforesaid order passed by the appellate Court under Section 148 of Negotiable Instruments Act and thereafter, he got absented on 17.12.2021.

In light of the aforesaid factual position, the present petition is hereby disposed of at the notice stage, without commenting on the merits of the case, with direction to the petitioner to appear before the appellate Court within next 15 days and on his appearance, he is directed to release on bail by the concerned first appellate Court to its own satisfaction subject to the conditions that the petitioner should also deposit concerned amount as has been directed by the said Court vide order dated 25.8.2021 (Annexure P-3) which has been passed under Section 148 of Negotiable Instruments Act.

(KARAMJIT SINGH)
JUDGE

July 26, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No