

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

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**CRM-M-35167-2021 (O&M)
Date of Decision: 03.02.2022**

Surinder Singh ...Petitioner

Versus

Allahabad Bank and another ...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajiv Kataria, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Gaurav Goyal, Advocate, for the complainant-Bank.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of criminal complaint No.NACT 451 dated 20.08.2018 as he apprehended his arrest consequent upon bail having been cancelled by the trial Court on account of his absence.
2. At the time of issuance of notice of motion dated 08.09.2021, the following order was passed:

“The case has been taken up for hearing through video-conferencing. Learned counsel for the petitioner submits that vide order of even date passed in CRM-M No.35149 of 2021, notice of motion has been issued and the recovery of payment of 20% of the cheque amount is directed to be not insisted upon, till the next date of hearing. Anticipatory bail has been declined on the premise that petitioner had already made a statement before the trial Court in the context of making entire payment of the cheque amount by May 2019.

Notice of motion for 03.11.2021.

In the meanwhile, petitioner is directed to appear before the trial Court on 14.09.2021 at 11.00 a.m. and in the event of his

appearance, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be decided on the merits on the adjourned date.”

3. Learned counsel representing the petitioner has informed that pursuant to interim directions issued by this Court, the petitioner has since appeared before the trial Court on 14.09.2021 and has been regularly appearing thereafter.
4. While the factum of appearance of the petitioner has not been denied by the counsel representing the respondent, but he has, however, opposed the petition on the ground that the petitioner having violated the conditions of grant of bail and thereafter he is not entitled to any concession from this Court at this stage.
5. I have considered the aforesaid submissions.
6. Having regard to the nature of allegations in the complaint which basically pertains to an offence under Section 138 of Negotiable Instruments Act and the fact that the petitioner pursuant to interim directions has been appearing before the trial Court, the instant petition is accepted and the interim directions issued by this Court vide order dated 08.09.2021 are hereby made absolute subject to the condition that the petitioner shall appear regularly before the trial Court and abide by any such condition as may be imposed by the trial Court for his appearance.

03.02.2022

VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No