

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

CRM-M-32679-2022
Date of Decision:-**28.07.2022**

GURJINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Manoj Kumar, Advocate
for the petitioner.

-.-

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner seeking quashing of order dated 3.12.2021 (Annexure P-4) passed by Additional Sessions Judge, Jalandhar in criminal appeal titled Manveer Kaur Gadriah vs. Gurjinder Singh under Section 138 of Negotiable Instruments Act whereby the 1st Appellate Court issued non-bailable warrant of arrest of the petitioner on account of his absence.

The counsel for the petitioner submits that the absence of the petitioner before the 1st Appellate Court on 3.12.2021 was not intentional as he was under impression that due to COVID-19 situation there was no need for him to appear before the Court concerned. The counsel for the petitioner further submits that there was only single default on the part of the petitioner on 3.12.2021 on account of which the trial Court passed the impugned order.

Admittedly the offence under Section 138 of Negotiable Instruments Act is bailable offence, so the present petition is hereby disposed of without advertent to the merits of the case and the petitioner is directed to appear before the concerned 1st Appellate Court on or before the next date fixed there and on doing so the petitioner is directed to be released on bail by the said Court to its own satisfaction subject to cost of ₹5,000/- to be deposited by the petitioner with District Legal Services Authority, Jalandhar.

28.07.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No