

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

CRM-M-42105-2022

Date of Decision:-16.09.2022

PARMINDER SINGH

... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-. -

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

The present petition has been filed by the petitioner/accused for setting aside the order dated 29.07.2022 (Annexure P5) passed by the learned Sessions Judge, Ambala in CRA No. 240 of 16.08.2018 titled as "*Parminder Singh Vs. Balwinder Singh*" vide which the bail of the petitioner has been cancelled and he was ordered to be summoned through non-bailable warrants of arrest, on account of his absence before the said Court on that date.

Learned counsel for the petitioner submits that in the aforesaid appeal the sentence of the petitioner was suspended vide order dated 11.07.2018 (Annexure P1) and subsequently the petitioner also deposited 20% of the amount as per the provisions of Section 148 of the Negotiable Instruments Act vide order dated 29.08.2019. Learned counsel for the

petitioner further submits that the absence of the petitioner on 29.07.2022 was not intentional and he failed to appear in the Court on that date as he noted down wrong date. Learned counsel for the petitioner further submits that the petitioner is ready to join the proceedings before the Appellate Court.

Notice of motion.

On the asking of the Court, Mr. Naveen Kumar Sheoran, DAG, Haryana who is present in Court, accepts notice on behalf of the respondent-State and submits that the aforesaid appeal is arising out complaint filed by respondent No.2 under Section 138 of Negotiable Instruments Act and as such the State has nothing to say in the present case.

In view of the above without commenting on the merits of the case the present petition is hereby disposed of with a direction to the petitioner to appear before the concerned Appellate Court within a period of 15 days and on his appearance the petitioner is directed to be released on regular bail by the said Court to its own satisfaction and subject to deposit a cost of Rs. 5,000/- by the petitioner with the District Legal Services Authority, Ambala, Haryana.

(KARAMJIT SINGH)
JUDGE

16.09.2022
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Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No