

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

CRM-M No.49798 of 2022 (O&M)

Date of decision : 07.12.2022

Krishan Kumar

..... Petitioner

versus

State of Haryana & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. D.P.S.Joura, Advocate for the petitioner.

Mr. Sumit Jain, Addl.AG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case Criminal Appeal No.177 of 2017 Criminal Complaint No.1032-II of 2014 date of Institution 29.09.2014 under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the Act').

Counsel for the petitioner submits that on 19.07.2022 application was moved seeking exemption from personal appearance in the appeal preferred by the petitioner against the order of conviction for offence punishable under Section 138 of the Act and the same was dismissed. Appeal of the petitioner was ordered to be cancelled and the bonds were ordered to be forfeited. Thereafter, bail of the petitioner stands dismissed vide order dated 10.10.2022. Resultantly, the petitioner is behind bars since 06.10.2022.

Counsel for the petitioner submits that the petitioner undertakes to appear before the Appellate Court on each and every day without seeking any exemption from personal appearance.

Keeping in view the incarceration and the undertaking suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

07.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No