

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-58960-2022

Date of Decision: 24.04.2023

M/s HOS & INS through its Prop. Rajinder Singh Shekhawat and another

.... Petitioner

Versus

Parvinder Singh Sarna

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Ms. Seema Pasricha, Advocate for the petitioners.

Mr. Rakesh Nagpal, Advocate for the respondent.

ASHOK KUMAR VERMA, J. (ORAL)

Reply dated 25.03.2023, filed on behalf of respondent is taken on record.

Present petition under Section 482 Cr.P.C. has been filed for issuance of a direction to the learned trial Court to permit petitioner No. 2-Rajinder Singh Shekhawat, to furnish personal bonds with single surety to the satisfaction of learned trial Court, Chandigarh with regard to 27 complaint cases (Annexure P-7 and P-8) filed under Section 138 of the Negotiable Instruments Act, 1881, (for short- 'the Act') by the same complainant-respondent herein.

Learned counsel, *inter alia*, contends that respondent has

filed 39 complaints against petitioners under Section 138 of the Act, as detailed in para 3 of the petition, out of which in 12 cases petitioner No. 2 has been granted bail, in 19 cases bailable warrants have been issued against him, in 05 cases non-bailable warrants have been issued against petitioner No. 2 and in rest of 03 cases, he was declared as proclaimed offender. She further contends that it would be very difficult for petitioner No. 2 for furnish different sureties and as such he may be permitted to furnish a single surety for a commensurately higher amount, by the same person who stands surety for him. In support of her contentions, learned counsel for the petitioner has relied upon orders passed by this Court in *CRM-M-39185-2013*, titled as Anil Sharma vs. State of Punjab and another, decided on 20.11.2023 (Law Finder Doc ID #1874972) as well as of Delhi High Court in *Crl. M(M) No. 2679 of 1992*, titled as Ravinder Pal Singh vs. State, decided on 19.01.1993 (Law Finder Doc ID# 219773).

On the other hand, learned counsel for the respondent vehemently opposed the submissions of learned counsel for the petitioners and prays for dismissal of the present petition.

Having heard to the rival submissions of learned counsel for the parties, this petition is disposed of with a direction to the trial Court that if, it is otherwise inclined to grant bail to petitioner No. 2, then permit him to furnish fresh single solvent surety in all 19 cases mentioned at serial Nos. 14 to 31 and 39 as detailed in para No. 3 of the petition, wherein bailable warrants have been issued against him.

For rest of 08 cases, out of which in 05 cases non-bailable

warrants have been issued against petitioner No. 2 and in 03 cases, he has been declared as proclaimed offender, the instant petition stands dismissed.

24.04.2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No