

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

133

CRM-M-10336-2024

Date of decision: 27.02.2024

Amrit Pal Singh

.....Petitioner

Versus

Harjit Singh Jagdev

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Namit Gautam, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 09.02.2024 (Annexure P-19) passed by learned Judicial Magistrate First Class, Chandigarh in Complaint bearing No.NACT-4887 of 2018 dated 03.05.2018 titled as 'Harjit Singh Jagdev Vs. Amritpal Singh Channa' under Section 138 of the Negotiable Instruments Act, 1881 vide which an application, under Section 70(2) of the Cr.P.C. to recall the warrants issued vide order dated 11.08.2023 and further process as ordered by learned Judicial Magistrate First Class, Chandigarh vide orders dated 29.09.2023, 10.11.2023, 22.12.2023 and permitting the petitioner to furnish bail/surety bond, has been dismissed.

2. Learned counsel for the petitioner at the outset submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. At this stage, Mr. Ram Bilas Gupta, Advocate has entered appearance, on his own, on behalf of the respondent-complainant and filed his memorandum of appearance which is taken on record.

4. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today, subject to payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority, Chandigarh which shall be a condition precedent. Till then, no coercive steps be taken against the petitioner.

5. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided by the Trial Court in accordance with law.

27.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No