

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

CRM-M-14763-2024

Date of decision: 01.04.2024

Amit Kumar

.....Petitioner

Versus

Nitin Malik and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Robin Singh Hooda, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 08.11.2023 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Rohtak whereby proclamation has been ordered against him in Criminal Complaint bearing No.NACT-800-2021 dated 11.05.2021 under Section 138 of the Negotiable Instruments Act, 1881.

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. Notice of motion.

4. On asking of the Court, Ms. Trishanjali Sharma, DAG, Haryana, accepts notice on behalf of respondent No.2-State.

5. 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. Till then, no coercive steps be taken against the petitioner. However, this shall be subject to payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority concerned, which shall be a condition precedent.

6. 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 expeditiously, by the Trial Court, in accordance with law.

01.04.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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