

2025:PHHC:012081



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

137

CRM-M-4764-2025 (O&M)

Date of decision: 28.01.2025

N Janardan Naidu**...Petitioner****Versus****M/s IKA Enterprises****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Rishu Mahajan, Advocate
for the petitioner.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for setting aside the order dated 02.08.2024 (Annexure P-5), passed by the Court of learned Judicial Magistrate First Class, Amritsar in case titled as ***M/s IKA Enterprises vs. M/s Soham Bio Med and others***, arising out of a complaint filed by the respondent under Section 138 of the N. I. Act, whereby the bail of the petitioner had been cancelled.

2. After advancing arguments at length, learned counsel for the petitioner could not point out any lacuna in the impugned order. However, he has submitted that now proclamation has been issued against the petitioner, vide order dated 28.10.2024 and the same stood published in the newspaper 'Yugmarg' on 30.12.2024. The proclamation proceedings are now pending for 31.01.2025. It is, thus, submitted that since the petitioner is ready to join the Court proceedings, he may be directed to surrender before the learned trial Court.

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3. Keeping in view the limited prayer made by the petitioner and the fact that he is ready to join the Court proceedings which would obviously help in speedy conclusion of trial, the present petition is disposed of. The petitioner is directed to surrender before the learned trial Court on or before 31.01.2025 and on doing so, the learned trial Court shall release him on bail, subject to his furnishing fresh personal/surety bonds to its satisfaction.
4. Till the appearance of the petitioner before the learned trial Court, his arrest shall remain stayed.
5. It is made clear that in case the petitioner fails to appear before the learned trial Court within the stipulated time, this petition shall be deemed to be dismissed.
6. However, this relief shall be subject to payment of cost of Rs. 10,000/-, to be deposited by the petitioner with the learned trial Court, which shall be disbursed to the respondent/complainant.

28.01.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No