



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

CRM-M-5745-2025

Date of Decision:31.01.2025

William Kumar Sabharwal

...Petitioner

vs.

Balwinder Singh

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr.Liaqat Ali, Advocate with
Mr. Sajida Akhtar, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Cr.P.C with a prayer to quash the order dated 29.11.2023 (Annexure P-3) passed by the Court of Sub-Divisional Judicial Magistrate, Bholath, whereby, the non-bailable warrants have been issued against the petitioner.

2. Learned counsel for the petitioner contends that a complaint (Annexure P-1) under Section 138 of the Negotiable Instruments Act (hereinafter referred to as the "Act") was filed against the petitioner in the Court of Sub-Divisional Judicial Magistrate, Bholath. He further contends that the notices for appearance of the petitioner were issued to him on various occasions, however, the petitioner was never served. Ultimately, the warrants of arrest were ordered to be issued against the present petitioner. He further contends that the petitioner has recently come to know about the non-bailable warrants and all the offences in the present case are bailable in nature and the petitioner is ready to appear before the Trial Court.

3. At this stage, this Court does not deem it appropriate to issue notice to the respondent as the offence is bailable in nature and the petitioner can always appear before the Trial Court. Still further, no adverse order is being passed against the respondent in the present case, however, in case, there is any concealment in the petition, the respondent is always at liberty to approach this Court for recalling of the present order.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. In view of the above submissions, the petitioner is permitted to appear before the Trial Court within a period of 02 weeks from today and on his appearance, he shall be admitted to bail subject to furnishing bail bonds and surety bonds to the satisfaction of the concerned Court.

6. The petitioner shall also file an affidavit before the Trial Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the court proceedings, except with prior permission of the Court.

(N.S.SHEKHAWAT)
JUDGE

31.01.2025
hitesh

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