



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

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**CRM-M-5796-2025
Decided on : 31.01.2025**

William Kumar Sabharwal

... Petitioner(s)

Versus

Balwinder Singh

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Liaqat Ali, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Petitioner has filed the present petition under Section 482 Cr.P.C. for quashing of order dated 29.11.2023, passed by learned SDJM, Bholath, in case No.66-NACT-2023, titled as, “Balwinder Singh v. William Kumar Sabharwal” (Annexure P-3), under the Negotiable Instruments Act, 1881 (in short, ‘NI Act’).

2. Counsel for the petitioner contends that in a complaint filed under Section 138 of the NI Act, petitioner was summoned vide order dated 03.10.2023 (Annexure P-2) for 29.11.2023, through speed post/registered post as well as ordinary process. Further contends that never any notice either through ordinary process or registered post, has been received by the petitioner. However, on the first date of appearance i.e. on 29.11.2023, learned trial Court issued warrants against the petitioner.

3. Counsel for the petitioner expresses his client’s inclination to appear before the trial Court and join the proceedings. However, he prays for grant of some protection from arrest.



4. Heard.

5. Since the trial is at the initial stage and petitioner himself has approached this Court through the present petition and has expressed his willingness to join the process of law, I do not find any substantial reason to summon the other side.

6. Considering all the aspects submitted by the petitioner and recorded here-above, it is directed that the arrest warrant issued vide order dated 29.11.2023 (P-3) shall remain stayed, provided that the petitioner appears before the learned Trial Court on or before 17.02.2025 (the date already fixed by the learned Trial Court). Upon his appearance/surrender, he shall be released on bail, subject to furnishing bail bonds/surety bonds to the satisfaction of the Trial Court.

7. With the aforementioned observations, **the present petition stands disposed of accordingly.**

8. Needless to mention here that, in case the petitioner acts as per the observations made here-above, the operation of the impugned order dated 20.11.2024 shall be deemed inoperative qua the petitioner for all purposes.

(SANJAY VASHISTH)
JUDGE

January 31, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*