



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8845-2025

Date of decision : 27.02.2025

NARESH KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jagraj Singh Khiva, Advocate
for the petitioner(s).

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

On 17.02.2025, the following order was passed:-

“Instant petition under Section 482 BNSS, 2023 has been preferred by the petitioner to grant pre-arrest bail in Criminal Complaint No.54, COMA/128/2017 dated 22.05.2017 under Section 138 of the Negotiable Instrument Act vide which, the petitioner was convicted vide judgment dated 19.08.2019 and the appeal is pending before Additional Sessions Judge, Bathinda for 20.02.2025 whereby, non-bailable warrants have been issued against the petitioner vide order dated 10.01.2025 (Annexure P-5).

2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner having been convicted in complaint case registered under Section 138 of the Negotiable Instruments Act vide judgment dated 19.08.2019 (Annexure P-2) titled ‘Pardeep Sharma vs. Naresh Kumar’, had preferred appeal (Annexure P-3) before learned Additional Sessions Judge, Bathinda vide CRA/442/2019 titled ‘Naresh Kumar vs. Pardeep Sharma’.

3. He further contends that the petitioner had been regularly appearing in the Court but on 10.01.2025 due to unavoidable



circumstances, the petitioner could not put in appearance before the learned Additional Sessions Judge, Bathinda leading to cancellation of his bail and issuance of non-bailable warrants of arrest for 20.02.2025 (Annexure P-5).

4. He contends that the absence of the petitioner was not intentional and undertakes to appear regularly in Court on each and every date without fail, if granted the concession of bail.

5. Notice to respondent No.1 at this stage.

6. On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG Punjab, present in Court, accepts notice on behalf of the State-respondent and has not disputed the factual matrix of the case.

7. Keeping in view the facts and circumstances of the case and without commenting on the merits, the petitioner is directed to appear on 20.02.2025 before learned Additional Sessions Judge, Bathinda where his bail is pending and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned Court/Duty Magistrate. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.

8. The petitioner is also burdened with cost of Rs.2,000/- to be deposited in District Legal Services Authority, Bathinda as a condition precedent.

9. List on 27.02.2025.”

In furtherance of the aforementioned order, the petitioner has surrender and has since been released on bail vide order dated 20.02.2025 passed by the ASJ, Bathinda. A copy of the said order is marked as A.



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In view of the above, no further orders are required to be passed by this Court.

It is expected that the petitioner shall not absent himself from Trial without sufficient cause.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.02.2025
JITESH

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