

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 105

Criminal Miscellaneous No.M-47530 of 2025**Date of Decision: August 28, 2025**Vikas Goyal

..... PETITIONER(S)

*VERSUS*State of Punjab & another

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**PRESENT:** - Mr. Vikas Kuthiala, Advocate, for the petitioner.Mr. Subhash Godara, Additional Advocate General,
Punjab.**SUBHAS MEHLA, J**

The petition has been filed seeking anticipatory bail to the petitioner in CRM-955 of 2024 titled 'Jaswinder Singh Grewal v. M/s Geetu Constructions Pvt. Ltd. & another', whereby non-bailable warrants of arrest have been issued against him vide order dated 07.08.2025 (Annexure P-9) passed by the learned Judicial Magistrate Ist Class, SAS Nagar (Mohali).

2. Brief facts of the case are that petitioner was convicted by learned Judicial Magistrate Ist Class, SAS Nagar (Mohali) under Section 138 of Negotiable Instruments Act, 1881 (for short, 'NI Act') in case bearing No.NACT No.776 of 2015, titled 'Jaswinder Singh v. M/s Geetu Constructions Pvt. Ltd. & another' vide judgment dated 14.12.2023 (P-1). Appeal was filed against the aforesaid judgment wherein while issuing notice of motion, the lower appellate Court vide order dated 12.01.2014, directed the petitioner to deposit 20% of the amount of compensation within a period of 90 days. The petitioner filed CRM-M-13792 of 2024 titled 'Vikas Goyal vs. Jaswinder Singh'. This Court vide order dated 18.03.2024 (Annexure P-3)



allowed the petition with direction that counsel for the petitioner shall argue the appeal within three weeks. Parties appeared before the appellate Court pursuant to the orders passed by this Court. The appellate Court, vide order dated 29.04.2024, ordered the trial Court to proceed against the petitioner in accordance with law as he was not ready for the arguments. Then, the trial Court vide order dated 04.06.2024 issued non-bailable warrants against the petitioner. Thereafter, he moved first petition for grant of anticipatory bail, which was dismissed vide order dated 07.08.2024 by learned Additional Sessions Judge, SAS Nagar. Subsequently, he filed CRM-M-13792 of 2024, wherein this Court vide order dated 05.08.2025 directed the parties to appear before the Secretary, DLSA, SAS Nagar on 18.08.2025 to explore the possibilities of compromise, but he did not appear.

3. Heard.

4. Facts in the paper-book reveal that petitioner was convicted under Section 138 of NI Act. In appeal, his sentence was suspended with direction to deposit 20% of the compensation amount within 90 days. On having failed to comply with the aforesaid direction, he preferred a petition in this Court bearing CRM-M-13792 of 2024 wherein appellate Court was directed not to enforce upon the petitioner to deposit 20% of the compensation amount, subject to the condition that he argues the appeal within three weeks. But, the arguments were not addressed and eventually, the appellate Court was constrained to direction to the trial Court to proceed against him as per law. Consequently, the trial Court, vide order dated 04.06.2024 issued non-bailable warrants of arrest against the petitioner. His petition for anticipatory bail was dismissed. Before this Court, parties were directed to appear before



DLSA on 18.08.2025 for effecting compromise, where also he failed to appear. It is clear that the petitioner is misusing the provisions of law and trying to defeat the process of law by not complying with the directions of the Court. Neither he deposited 20% of the compensation amount, nor has he argued the appeal within three weeks from 18.03.2025, as per directions of this Court.

5. Keeping in view the conduct of the petitioner of delaying the process of law, he is not entitled to be released on anticipatory bail. Accordingly, the petition stands dismissed.

(SUBHAS MEHLA)
JUDGE

August 28, 2025
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No