



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

174

**CRM-M-16382-2026 (O&M)
Date of Decision :25.03.2026**

Somant Champ

.....Petitioner

Versus

Gourav Kumar @ Gorav Kumar

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present : Mr.Pardeep Kumar, Advocate for the petitioner.

SURYA PARTAP SINGH, J. (Oral):

This petition, under Section 528 of the 'Bharatiya Nagrik Suraksha Sanhita 2023,' has been filed by the petitioner, against the order dated 24.12.2025 whereby non-bailable warrant has been issued against the petitioner.

Briefly stating the facts emerging from record are that, that at the instance of respondent/complainant, hereinafter being referred to as 'respondent' only, a complaint has been filed against the petitioner/accused, hereinafter being referred to as 'petitioner' only. The above said complaint has been filed for the commission of offence punishable under Section 138 of Negotiable Instruments Act 1881. In the above mentioned complaint in order to procure the presence of the petitioner in the Court his non-bailable warrant has been issued.

It has been contended by learned counsel for the petitioner that the petitioner had never been served in the present petition and that he was never



released on bail with regard to the trial pertaining to above mentioned complaint. It has also been contended by learned counsel for the petitioner that the petitioner never violated any condition of bail as neither he had ever joined the proceedings nor released on bail.

In view of above mentioned contentions, it is apparent that the non-bailable warrant has been issued by the learned trial Court just to procure the presence of the petitioner in the Court and the offence allegedly committed by the petitioner still remain bailable. Thus, as and when the petitioner appears before the learned trial Court he has a right to seek bail from the learned trial Court.

In view of above mentioned observations the instant petition is hereby **disposed of** with a direction to the petitioner to surrender before the learned trial Court by next date and seek appropriate remedy in accordance with law.

(SURYA PARTAP SINGH)
JUDGE

25.03.2026
Manoj Bhutani

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