



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

162

CRM-M-16187-2026 (O&M)
Date of Decision :25.03.2026

Dashav Dhir @ Dashav @ Dhashav

.....Petitioner

Versus

Gurmukh Singh

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present : Mr.Sunny K. Singla, Advocate for the petitioner.

SURYA PARTAP SINGH, J. (Oral):

This petition has been filed with regard to a complaint under Section 138 of Negotiable Instruments Act 1881, wherein petitioner has been declared a proclaimed person.

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 presence of the petitioner in the Court his non-bailable warrant was issued, and once the non-bailable warrant remain unexecuted it was ordered that the proclamation against the petitioner be 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 and proclamation were issued by the learned trial Court, against the petitioner, just to procure his presence in the Court and the offence allegedly committed by the petitioner still remains bailable. Thus, as and when the petitioner will appear 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