

2026:PHHC:078302

202 (1st case)IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16418-2026

Nishant

....Petitioner

versus

M/s Pal Hire Purchase and Finance Corporation

....Respondent

Date of Decision: May 19, 2026

Date of Uploading: May 19, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vijay Lath, Advocate and
Mr. Naveen Sharma (Moudgil), Advocate for the petitioner.

None for the respondent.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 438 of the Cr. P.C., 1973 for grant of anticipatory bail to the petitioner in complaint case No.NACT/4500/2019 of 17.09.2019, under Section 138 of the Negotiable Instruments Act, 1881 titled as "M/s Pal Hire Purchase and Finance Corporation versus Nishant".

2. On 27.03.2026, the following order was passed:

"Apprehending his arrest in a Criminal Complaint No.NACT/4500/2019 of 17.09.2019 under Section 138 of the Negotiable Instruments Act titled as "M/s. Pal Hire Purchase and Finance Corporation Versus Nishant"; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated into the criminal complaint, the petitioner was always willing to join the trial proceedings and cooperate therein, the petitioner was not aware of the proceedings & hence he was wrongly declared a proclaimed offender, the order declaring the petitioner a proclaimed offender has been stayed by this Court vide order of even date

i.e. 27.03.2026 passed in CRM-M-16727-2026 & the petitioner is willing to join trial proceedings and face the same in accordance with law.

Notice of motion for 29.04.2026.

Process dasti as well.

The petitioner is permitted to appear before the concerned trial Court on or before 04.04.2026 and upon his doing so, he be admitted to interim bail to the satisfaction of the said Court.

It is made clear that, in case requisite service is not effected upon the respondent, the interim protection granted to the petitioner may be liable to be vacated on this score alone.”

2.1. On 29.04.2026, the following order was passed:

“Office note indicates that respondent stands served. However, none has caused appearance on behalf of the said respondent.

Learned counsel appearing for the petitioner has submitted that the petitioner could not appear before the concerned Court on 4.4.2026 on account of circumstances beyond his control. He has sought another opportunity to do so.

In the interest of justice, the petitioner is now permitted to appear before the concerned trial Court on or before 5.5.2026 in terms of order dated 27.3.2026, earlier passed by this Court.

Put up on 19.5.2026.

Interim order to enure.”

3. Learned counsel for the petitioner has submitted that the petitioner has caused appearance before the concerned Court on 01.05.2026 and shall continue to appear further, in accordance with law.

4. None has caused appearance on behalf of respondent No.2.

5. In view thereof, the interim order dated 27.03.2026 is made absolute, subject to the petitioner continuing to appear before the trial Court and cooperate for expeditious disposal of the trial accordingly.

6. Petition stands **allowed**.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition

stipulated under Section 482(2) of Cr. P.C. or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

May 19, 2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No