

IN THE COURT OF JASWINDER SHEEMAR, ADDITIONAL
SESSIONS JUDGE, GURDASPUR (UID No. PB0093).

Bail Application No. 364 Dated 11.12.2017
CIS No. BA-2737-2017
Date of Order: 08.02.2018

The Dera Baba Nanak Primary Co-operative Agriculture
Development Bank.

-----Complainant/Respondent
Versus

Sunita Bali wife of George R/o village Salimpur Afghana and Post
Office, Gurdas Nangal, Tehsil Dera Baba Nanak, District
Gurdaspur.

-----Bail Applicant/Accused
(Complaint U/s 138 N.I. Act)
First Application for Bail U/s 438 Cr.P.C.

Present: Sh. Ranjodh Singh, Advocate, counsel for bail applicant.
Sh. B.S. Gill, Advocate, counsel for respondent.

ORDER

1. This is an **anticipatory bail** application filed u/s 438 Cr.P.C. on behalf of bail-applicant **Sunita Bali** in a complaint titled as **The Dera Baba Nanak Primary Cooperative agriculture Development Bank vs. Sunita Bali**.
2. **Notice** of the bail application was issued to the respondent/complainant, who appeared through counsel to contested the bail application.
3. The trial court record was **requisitioned** and **perused**.
4. I have heard the learned counsel for the bail applicant and learned counsel for the complainant and gone through the record very carefully and minutely, with their kind assistance.
5. The bare perusal of the trial court record reveals that a complaint under Section 138 of the Negotiable Instrument Act was filed by the complainant against the bail applicant due to dishonour of the

cheque dated 05.02.2015, in which she was summoned to face trial vide order dated 17.08.2015.

6. The bail applicant has averred in the bail application that she could not attend the court due to the reason that she gave birth to a baby, regarding which no document has been attached by the bail applicant. Since, the bail applicant has been declared to be proclaimed offender, therefore, in such an evidence, the anticipatory bail application filed on behalf of the bail applicant, is not maintainable. Therefore, the anticipatory bail application filed on behalf of the bail applicant without merits stands **dismissed**. Trial Court Record be sent back immediately. Bail application file be consigned to the record room.

Announced in open court
08.02.2018

(Jaswinder Sheemar)
Additional Sessions Judge,
Gurdaspur (UID No.PB0093)

**Rajeev Gupta,
Stenographer-I**

The Dera Baba Nanak Primary Coop versus Sunita Bali.

Present: Sh. Ranjodh Singh, Advocate, counsel for bail applicant.
Sh. B.S. Gill, Advocate, couinsel for respondent.

Arguments heard. Vide my separate order of even date, the anticipatory bail application filed on behalf of the bail applicant has been **dismissed**. Trial Court Record be sent back immediately. Bail application file be consigned to the record room.

Announced in open court
08.02.2018

(Jaswinder Sheemar)
Additional Sessions Judge,
Gurdaspur (UID No.PB0093)