

**THE COURT OF SHRI PARMINDER SINGH RAI,
ADDITIONAL SESSIONS JUDGE, TARN TARAN**

CIS No : BA/3085/19.
Date of Institution : 18.10.2019.
Date of Decision : 02.11.2019.

Sarwan Singh son of Joginder Singh, resident of Ghuman Niwas, Pati,
Sultan Ki, Sultanwind, Tehsil and District Amritsar.

-----Applicant/accused.

Versus.

Gurikbal Singh son of Gurdip Singh, resident of VPO Mallia, Tehsil
and District Tarn Taran.

-----Respondent.

Complaint Under Section 138 NI Act
Application under Section 438 Cr.P.C..

Present: Sh. P.S. Kanda, Advocate, counsel for the
applicant/accused.

Accused/applicant has moved the present bail application
under Section 438 Cr.P.C. seeking grant of anticipatory bail.

Learned counsel for the applicant has argued that accused
was never served in the complaint. He never misused the concession of
bail .

As per the allegations the accused remained absent from
the proceedings of the complaint and finally was declared proclaimed
offender. Accused was summoned to face trial in complaint under
Section 138 NI Act and is stated to be never served personally in the
complaint. Present has not been stated to be a case of misuse of bail.
Proclamation would be to procure the presence of the accused. So it
would be in the interest of justice that applicant-accused is directed to

surrender before the Trial Court till 13.11.2019 and on his doing so learned Trial Court/Duty Magistrate shall admit him on interim bail to the satisfaction of the said Court/Duty Magistrate and thereafter to proceed further as per law in the matter of said complaint. Applicant shall abide by the conditions incorporated under Section 438 (2) of Cr.P.C. Report of Trial Court be called for the said date and for consideration also be come up on 13.11.2019.

Pronounced
02.11.2019

Jaswinder Singh
Stenographer-III

Parminder Singh Rai
Additional Sessions Judge
Tarn Taran/UID-PB0175