

**IN THE COURT OF SH. MANMOHAN BHATTI, PCS
SUB DIVISIONAL JUDICIAL MAGISTRATE, RAJPURA
(UID-PB0429)**

CNR No.PBPTA1–2425-2025

Om Parkash Vs. Laskhwinder Singh CIS No. BA-255-2025

Present: Sh. Kulwant Singh, Advocate for applicant/accused.
Sh. Virat Gupta, Advocate for the complainant.

ORDER

This order of mine shall dispose of bail application filed by the accused Lakhwinder through counsel Sh. Kulwant Singh, Advocate in a Complaint under Section 138 of Negotiable Instruments Act. It is alleged in the application that applicant/accused failed to attend the court on 19.05.2025 and as such, the bail bonds/surety bonds of applicant/accused were cancelled and forfeited to the State and nonailable warrant were issued against accused. It is alleged that applicant/accused was out of State and he requested his counsel Sh. Rampal Bathonia Advocate to file his exemption and accordingly he filed the exemption application, which was allowed but his counsel failed to intimate him about the next date of hearing as Sh. Rampal Bathonia Advocate met with an accident and was confined to bed. It is further alleged that applicant/accused approached the Hon'ble High Court and vide order dated 22.08.2025 Hon'ble High Court directed the applicant to surrender before Trial Court within a period of 7 days and to apply for regular bail and also to deposit amount

of Rs.20,000/- as compensatory costs within one week. However, accused failed to arrange surety within stipulated period. It is further alleged that applicant/accused is innocent person and is suffering from fatty liver pain. It is further submitted that applicant/accused undertakes to abide by all the terms and condition and shall appear before the court on each and every date of hearing. Applicant/accused undertakes to furnish the bail bonds and surety bonds as per the satisfaction of this court. Hence, the present application.

2. Notice of application was given to counsel for complainant. Learned counsel for the complainant did not file any reply but orally opposed the application.

3. After hearing detailed arguments of the Learned Counsel for the applicant/accused, Learned counsel for the complainant and perusal of documents on record, this Court is of the considered opinion that the applicant/accused has himself surrendered before this court and he is in custody since the date of his surrender in the court i.e. 16.09.2025 for commission of offence i.e. under Section 138 of Negotiable Instruments Act and complaint case is pending for 03.10.2025. This court is of the considered opinion that the applicant/accused must have learnt a lesson for absenting himself from the court proceedings. Therefore, no further custodial interrogation is required and no useful purpose

would be served by keeping the accused in custody for indefinite period.

4. As such in view of these facts and circumstances accused is ordered to be released on regular bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount subject to the following conditions:-

(I) That he will attend the court proceedings on each and every date of hearing and shall not absent himself.

(ii) That he will not commit an offense similar to the offense of which he is accused, or suspected, of the commission of which he is suspected.

(iii) That he will not directly or indirectly make any inducement threat of promise to any person acquainted with the facts of the accusation them so as to dissuade his from disclosing such facts to the court or to any police officer to temper with the prosecution evidence.

(iv) Notice under Section 446 Cr.P.C be served upon accused on the next date fixed in the complaint case i.e. 03.10.2025.

Bail application stands disposed off accordingly.

Requisite bail bonds not furnished. Copy of this order be transmitted to Superintendent Jail concerned through electronic means. Papers be attached with the main file.

Pronounced in open court
Dated: 25.09.2025
Rajesh-JW

Manmohan Bhatti, PCS
Sub Divisional Judicial Magistrate,
Rajpura (PB0429)