

CNR No.PBFZ0100-3981-2021

BA No.411, dated 20.05.2021

CIS No.BA-1037-2021

Date of order: 21.05.2021

(Application for bail under section 438 of Cr.P.C)

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Present: Sh. Indu Rani, Advocate, for applicant/accused.

None for the complainant.

ORDER

1. Heard on the bail application moved by applicant/accused Sanjeev Pal, under section 438 of Cr.P.C, pertaining to criminal complaint case bearing CIS no.NACT-838/ 2017, titled as 'Harpal Singh Versus Sanjeev Pal', under section 138/142 of Negotiable Instruments Act.

2. Record of the trial court was summoned and received.

3. Perusal of the lower court record shows that this is a complaint filed by Harpal Singh Sodhi against the applicant/accused Sanjeev Pal, under section 138/142 of Negotiable Instrument Act, wherein applicant/accused Sanjeev Pal has never put in appearance before the court and ultimately, he was declared proclaimed person on 21.09.2019.

4. While taking into consideration the aforesaid facts and

circumstances of the present case, specifically when the applicant/accused has never put in appearance before the learned trial court and the offence in the aforesaid case is bailable in nature. Moreover, whether the applicant/accused has been rightly declared proclaimed person is a debatable issue. Furthermore, there is no reasonable apprehension of tampering of the prosecution evidence and apprehension of threat to the complainant and no possibility of the applicant/accused to flee from justice. So, the applicant/accused is directed to appear before the Illaqa/ Duty Magistrate within 07 days from today and on his appearance before the lower court, he be released on bail by the learned trial court to its satisfaction. Anything said in this order shall not affect the merits of the main trial in any manner.

5. Now to come up on 28.05.2021 for further proceedings. Lower court record along with copy of this order be sent back forthwith and be also summoned for the date fixed

Pronounced in open Court.
Dated: 21.05.2021

yashpaul

Sd/-(Sachin Sharma)
Addl. Sessions Judge,
Ferozepur
UID No.PB0519