

CNR No: PBFZ030071972023

CIS No: NACT/1359/2023
BA/8/2024

Punjab Gramin Bank VS Gurwant Singh

Present: Accused in person, with counsel Sh. Hari Chand Kamboj,
Advocate.

File taken up today as an application for surrender and bail
is moved by the accused through his counsel. It be registered.

Original file perused.

Heard. Since the offence under section 138 of
Negotiable Instrument Act is bailable one, so the accused is admitted to
bail on furnishing his bail bonds for a sum of Rs.40,000/- with one
surety in the like amount. Requisite bonds furnished which are
accepted and attested. **The Reader is directed to send the
intimation regarding the same to the concerned revenue
authority.**

The present application is allowed. File be attached with
the main file.

Heard. Notice of accusation under Section 138 of NI Act
has been served upon the accused to which the accused pleaded not
guilty and claimed trial.

The accused in his plea of defence recorded in view of the
directions issued by the Hon'ble Supreme Court in **Indian Bank
Associations and others Vs Union Of India and others 2014 (2)
RCR Criminal 598**, has stated that "I am innocent. I never issued
cheque in question in favour of complainant in discharge of any legal
liability towards complainant. I have been falsely implicated in the
present complaint".

Cheque amount involved in the present case is huge. In case, accused is convicted, then punishment prescribed for summary trial i.e. maximum 3 months will not be commensurate with the amount involved in the case. Therefore, in view of the plea taken by the accused as well as aforesaid discussion, the present case is treated as summons case.

Ld. Defence counsel has moved an application under section 145(2) of N.I.Act for recalling the complainant for the purpose of cross examination. Heard. In order to effectively adjudicate matter at hand, the application is allowed. In view of procedure laid down by Hon'ble Supreme Court of India in judgment of **Indian Bank Association and others Vs. Union of India and others 2014(2) RCR (Criminal) 598**, case is fixed for cross examination of CW 1 on **08.01.2024**. Bailable warrants are withdrawn. Intimation to warrant staff be given.

Date of Order: 06.01.2024
Manpreeti

(Navjit Pal Kaur)
JMIC/FZR
UID NO . PB00398