

IN THE COURT OF MS.POONAM BANSAL
ADDITIONAL SESSIONS JUDGE, SANGRUR
(Unique Identification No.PB-0190)

B.A. No.....383 of 2020
CNR No.PBSG01-010020-2020
Decided on:.....03.02.2020

Mahesh Inder Singh son of Sh. Bachan Singh, resident of #1010, Sanjay
Gandhi Colony, Sector 32-A, Chandigarh Road, Ludiana

....Accused-applicant

Versus

State of Punjab

Respondent

Complaint under Section 138 of Negotiable Instruments Act

Bail application Under section 438 Cr.P.C.

Present: Sh. Vikram Manchanda, Adv. counsel for the applicant.
Sh. Husan Bansal, Addl. P.P. for State-respondent

ORDER:

1. This order shall dispose of an application filed by the applicant Mahesh Inder Singh in the complaint under Section 138 of Negotiable Instruments Act, titled as Vikram Singh Vs. Mahesh Inder Singh pending in the court of Ms.Dipti Goyal, Ld. SDJM, Sunam.
2. Notice of application was issued to respondent. Ld. Addl. P.P. for State is present in the Court.
3. Learned counsel for applicant has argued that the complaint under Section 138 of Negotiable Instruments Act is pending in the court of Ld. SDJM, Sunam. On 15.01.2020 the clerk of counsel of the applicant noted down the date of hearing as 28.02.2020 instead of 28.01.2020 and the said date was given to the accused to appear on

28.02.2020. On 28.01.2020 when the counsel for accused-applicant was present in the court of Id. SDJM, Sunam in another case, then came to know that nonailable warrant of accused have been ordered to be issued due to non appearance of accused and his bail bonds alongwith bail bonds and surety bonds have been cancelled. The absence of accused-applicant was not intentional but due to the above mentioned reason. On the strength of these grounds the counsel for the applicant has prayed that the applicant be given the concession of anticipatory bail.

4. Ld. Addl. P.P. for the State did not argue on the bail application.

5. After hearing contentions of learned counsel for applicant this court is of the opinion that along with application, the order dated 28.01.2020 passed by Id. SDJM Sangrur has been placed on record vide which the accused has been ordered to be summoned through nonailable warrant. However, as per this order, the next date is mentioned as 19.02.2020 and the present bail application has been filed by the accused-applicant on 30.01.2020. Undoubtedly, the offence under Section 138 of Negotiable Instruments Act isailable offence and the bail order along with bail bonds and surety bonds have been cancelled by the Id. SDJM, Sunam due to non appearance of accused-applicant in the court on 28.01.2020. Therefore, keeping in view the fact that the applicant is ready to join the proceedings before trial Court, therefore, this court is of the opinion that it is a fit case for grant of anticipatory

bail. In these circumstances, the applicant is directed to appear before the learned trial Court within the period of **10 days** and in the event of his appearance before the trial Court, the trial Court is directed to admit the applicant on bail to its satisfaction and the terms and conditions to be imposed by the trial Court. Accordingly the bail application stands allowed. However, the trial Court will be at liberty to cancel the bail of the applicant in case he fails to abide the directions imposed by the Court. Trial Court record be returned. File be consigned to the record room.

Announced in open Court.
Date:03.02.2020

(Poonam Bansal)
Additional Sessions Judge,
Sangrur. UID No.PB-0190

Parminder Stenographer - II

CNR No. PBSG01-010020-2020

CIS No. BA/383/2020

Mahesh Inder Singh Vs. State

Present: Sh. Vikram Manchanda, Adv. counsel for the applicant.
Sh. Husan Bansal, Addl. P.P. for State-respondent.

Arguments heard. Vide separate order of today the bail application has been ***allowed***, in the terms mentioned therein. File be consigned to the record room, after due compilation.

Announced in open Court.
Date:03.02.2020

(Poonam Bansal)
Additional Sessions Judge,
Sangrur. UID No.PB-0190

Parminder Stenographer - II