

In the Court of Sh. Harpal Singh,
Sessions Judge, Kapurthala, (UID No.PB0036)

CNR No. PBKP010041342025

Case No. BA/1696/2025



Presented on : 16-07-2025

Registered on : 17-07-2025

Decided on : 22-07-2025

Bimla aged about 57 years wife of Pardeep Kumar, resident of H.No.52/13, Mohalla Shehrian, Kapurthala.

.....Accused/applicant.

Versus

Bank of Baroda, The Mall Road, Kapurthala.

.....Respondent.

Complaint u/s 138 of Negotiable Instruments Act.

Bail application under Section 482 BNSS.

Present: Sh. SS Dhaliwal, Advocate, counsel for
applicant/accused.
Sh. Vinay Garg, Advocate, counsel for
respondent/complainant.

ORDER

1. Applicant Bimla wife of Pardeep Kumar has filed the bail application under Section 482 BNSS and notice of the same was given to the respondent/complainant.

2. Heard. The record reveals that complainant Bank of Baroda, had filed the complaint under section 138 of Negotiable Instruments Act against the present applicant Bimla before the learned Trial Court, on the allegations that the present applicant

Bimla in order to discharge her standing liability, issued cheque No.046166 dated 08.01.2024 for an amount of Rs.5,92,976/- in favour of complainant. When the complainant presented the said cheque before its banker, the cheque was dishonoured due to “Fund Insufficient” vide memo dated 10.01.2024. Thereupon, the complainant also issued legal notice upon the present applicant, to repay the cheque amount, but even then present applicant failed to return the cheque amount to the complainant. Thereafter, complainant presented complaint before the learned Illaqa Magistrate/trial Court and led preliminary evidence and on the basis of preliminary evidence, present applicant Bimla was summoned under section 138 of Negotiable Instruments Act, vide order dated 12.04.2024. Hence the present complaint.

3. Learned counsel for the applicant has stated that the applicant was neither served in the present case nor she has any knowledge about the pendency of the case. The applicant came to know that due to her absence, the learned trial court has issued her non bailable warrants of arrest and ultimately she was declared as Proclaimed Person vide order dated 19.04.2025. The absence of the applicant was neither willful nor intentional. The applicant undertakes to appear before the court on each and every date of hearing. The applicant is ready to abide by all the terms and conditions so imposed by this Court. In the end, it was submitted that the applicant may be given the concession of anticipatory bail.

4. Heard. The case is based upon complaint case, under

section 138 of Negotiable Instruments Act and offence under section 138 of Negotiable Instruments Act is bailable one. Accordingly, the present bail application stands allowed and disposed of. It is ordered that if applicant-accused Bimla surrenders before the learned Trial Court/Duty Magistrate, within a period of 14 days from the date of passing of this order, she shall be admitted to bail by the learned trial Court on her furnishing bail bonds and surety bonds in the sum of Rs.40,000/- with one surety of the like amount. Lower Court record be returned alongwith copy of this order and the file of bail application be consigned to the record room.

Pronounced in open Court
Dt.22.07.2025
(Arun)

(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)

Bimla Vs. Bank of Baroda

**CNR No.PBKP010041342025
Bail application No.1696 of 2025**

Present: Sh. SS Dhaliwal, Advocate, counsel for applicant/accused.
Sh. Vinay Garg, Advocate, counsel for
respondent/complainant.

Today Sh. Vinay Garg, Advocate, appeared and filed
power of attorney on behalf of respondent/complainant.

Arguments heard. Vide separate detailed order of even
date, the present bail application filed on behalf of applicant Bimla
has been allowed. Lower Court record be returned alongwith copy of
this order and the file of bail application be consigned to the record
room.

**Pronounced in open Court
Dt.22.07.2025
(Arun)**

**(Harpal Singh),
Sessions Judge, Kapurthala,
(UID No.PB0036)**