

Raghveer Singh Vs. Allahabad Bank

CNR No. PBBT01-003547-2020

CIS No. BA 1421-2020

Present: Sh.Raghbir S.Beniwal,Adv. for applicant/petitioner

ORDER

This order will dispose of an application for grant of anticipatory bail filed by the applicant-petitioner Raghveer Singh, in complaint titled as Allahabad Bank Vs. Raghveer Singh, under Section 138 of the Negotiable Instrument Act.

2. Notice of the application was issued to the respondent/complainant, who served for today but none has appeared on its behalf.

3. **I have heard learned counsel for the parties and gone through the file, minutely.**

4. Record shows that a complaint under Sec. 138 of Negotiable Instruments Act was preferred against the petitioner by the respondent/bank and he was summoned to face trial vide order dated 20.11.2017. Notices/warrants were sent to the applicant/petitioner several times but he was never personally served. The Zimny Order dated 05.05.2018 shows that notice issued to him received back unserved for want of correct address. The applicant/accused has placed on file his Aadhar Card bearing No.6608 8783 6333 which bears a different address than given in the complaint by the respondent bank. Any how, the applicant/accused was never personally served in the complaint who has been declared Proclaimed Person in a bailable offence. The applicant/ petitioner is ready to surrender before the trial court and to face the proceedings, lodged against him.

In view of the above, nature of allegations levelled against the petitioner and other facts of the case, the applicant/petitioner is directed to surrender before the trial court within one month from today. In case of his arrest in the complaint, he be released on bail to the satisfaction of the Illaqa/Duty Magistrate, subject to the conditions laid down under Section 438 (2) Cr P C or any other condition, to be imposed by the trial court.

The application stands allowed. Copy of this order be placed on the Trial Court record which be returned, immediately.

File of this court be consigned.

Pronounced.
13.06.2020

Pardeep Kumar
Stenographer

(Rakesh Gupta)
Additional Sessions Judge,
Bathinda PB0124