

IN THE COURT OF SH. AMAR PAUL, ADDITIONAL SESSIONS
JUDGE, GURDASPUR. UID NO.PB0450.

Bail Application No. 457 of 25.05.2022

Date of Order: 31.05.2022

CNR No. PBGD01-003729-2022

CIS No. BA-1613-2022

Rinku son of Parkash Chand, resident of village Shekhupura, Tehsil and
District Gurdaspur.

.....Applicant/ Accused.

Versus

Shri Ram Transport Finance Company Limited.

.....Complainant/Respondent.

(Complaint u/s 138 N.I.Act)

First Application for bail u/s 438 Cr.P.C.

Present: Sh. Kushav Amrit Mehta, Advocate, for the applicant-accused.

Sh. K.S. Gill, Additional Public Prosecutor for the State.

ORDER

Heard on the anticipatory bail filed by the applicant/accused
under section 438 Cr.P.C.

2. Notice of the bail application was given to the Additional PP
for the State who opposed the bail application and prayed for dismissal of
the same.

3. Trial court record was called which has been received and
perused.

4. Heard. Considered. The complaint case under section 138
Negotiable Instrument Act is pending before the learned court of Sh.
Jaswinder Pal, Judicial Magistrate Ist Class, Gurdaspur titled as M/s Shri
Ram Transport Vs. Rinku for dated 28.07.2022. Applicant during

pendency of the complaint case became absent and trial court cancelled the bail bond, surety bond and bail order of the applicant and forfeited to the State and now appearance of the applicant is awaited by the trial court for dated 28.07.2022 through NBW.

5. It is a complaint case under section 138 of Negotiable Instrument Act which is bailable offence for which anticipatory bail is not maintainable and same is ordered to be dismissed. However, applicant is directed to surrender before the learned Trial Court/Duty Magistrate/ Illaqa Magistrate within one month from today and shall file the regular bail application and on doing so, the Trial Court/Duty Magistrate/ Illaqa Magistrate shall release the applicant on regular bail to its satisfaction. It is further clarified that the trial court is set at liberty to proceed against the applicant under section 446 Cr.P.C. as deemed fit. With these observations bail application stands disposed off. Copy of order be sent to the concerned quarter for information and necessary compliance. Trial court record be also sent back forthwith. Bail application file be consigned to the record room.

Pronounced:
Dated:31.05.2022.
(Shiv Kumar Stenographer-I)

Amar Paul
UID-PB0450
Addl. Sessions Judge,
Gurdaspur.