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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.39663 of 2025
Date of decision : 25.07.2025**

Baldev Singh

.....Petitioner

versus

Arun Sharma

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Neeraj Jain, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing/setting aside the order dated 08.05.2025 passed by the learned Additional Sessions Judge, Bathinda (Annexure P-3) vide which the re-arrest warrants have been issued against the petitioner in appeal case No.CRM-884-2025 (Annexure P-2) against the judgment and order dated 11.12.2024 (Annexure P-1).

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted for the offence punishable under Section 138 of Negotiable Instruments Act, 1881 and convicted by the learned trial Court vide order dated 11.12.2024. He has submitted that being aggrieved, the petitioner assailed the same by way of filing an appeal before the learned Appellate Court. He has submitted that both the sides have already resolved their issues as the outstanding amount has already been paid.



However the learned Appellate Court had issued re-arrest warrants against the petitioner vide order dated 08.05.2025. He however has submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

4. Mr. Akash Yadav, Advocate has appeared and filed his vakalatnama on behalf of the respondent today in the Court and the same is taken on record. He has affirmed the submissions made by learned counsel for the petitioner that the matter has already been settled.

5. I have heard counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted for the offence punishable under Section 138 of Negotiable Instruments Act and convicted by the learned trial Court vide order dated 11.12.2024. The matter has already been resolved between the parties. The petitioner filed an appeal before the learned Appellate Court beyond limitation as he was suffering from various ailments. However the learned Appellate Court issued re-arrest warrants against the petitioner vide order dated 08.05.2025. As the matter has already been settled between the parties and the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 08.05.2025 is hereby *set aside* subject to payment of costs of Rs.10,000/- to be deposited with the Day Care Centre for Elderly Disabled Home for Old & Destitute People, Sector 15, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court



concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 08.05.2025 would come in force and the present petition would be deemed to have been dismissed.

25.07.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE