



CRM-M-16213-2025

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-16213-2025 (O&M)****Date of decision : 1.4.2025**

Lakhwinder Singh

... Petitioner

VERSUS

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**Present: Mr. Harmanpreet Singh Sehgal, Advocate,  
for the petitioner

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**KARAMJIT SINGH, J. (Oral)**

Present petition has been filed by the petitioner seeking quashing of order dated 24.2.2025 (Annexure P-12) passed by the Court of Judicial Magistrate, 1<sup>st</sup> Class, Malout, vide which, the application filed by the petitioner seeking exemption from his personal appearance before the trial Court on that date was declined and the bail order was cancelled and further, he was directed to be summoned through non-bailable warrants of arrest in a criminal complaint case No.NACT 156 of 2024 titled Arshdeep Singh v. Lakhwinder Singh under Section 138 of Negotiable Instruments Act.

2. Counsel appearing on behalf of the petitioner, *inter alia*, submits that the petitioner who was earlier granted regular bail in the aforesaid criminal complaint, was unable to attend the trial proceedings on 24.2.2025 on account of his illness and his counsel filed exemption application but the same was declined by the learned trial Court and the said



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Court issued non-bailable warrants of arrest of the petitioner vide impugned order (Annexure P-12). Counsel for the petitioner further submits that offence punishable under Section 138 of Negotiable Instruments Act is a bailable offence and that the petitioner is ready and willing to join proceedings before the trial Court at the earliest in order to avoid any further delay in proceedings in the aforesaid criminal complaint.

2. Notice of motion.

3. Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that the petitioner is in the habit of getting absented during trial proceedings and earlier also, exemption applications were given on behalf of the petitioner but the same were allowed by the trial Court. It is further submitted that there is no illegality in the impugned order (Annexure P-12) which is passed by the learned trial Court in accordance with law in order to procure the presence of the petitioner who failed to appear before the said Court even on earlier dates.

4. I have considered the submissions made by the counsel for the parties.

5. Admittedly, offence punishable under Section 138 of Negotiable Instruments Act is a bailable offence and further, the petitioner himself has come forward showing his willingness to join proceedings before the trial Court at the earliest.

5. In view of above, without expressing any opinion on the merits of the case, the present petition is hereby disposed of, in the interest of justice, with direction to the petitioner to appear before the trial Court within a period of next 15 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction subject to costs



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of ₹ 5000/- to be deposited by the petitioner with the District Legal Services Authority concerned. Needless to say that even in future, the petitioner should remain careful and is to appear regularly on each and every date of hearing before the trial Court.

**( KARAMJIT SINGH )**  
**JUDGE**

April 1, 2025  
Paritosh Kumar

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