

(2026) 08 P&H CK 0461
In the Punjab And Haryana At Chandigarh
Case No : CRM-M-42944-2026 (O&M)

Judgebir Singh

APPELLANT

Vs

State Of Punjab And Another

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Negotiable Instruments Act, 1881 — Section 138

Citation : (2026) 08 P&H CK 0461

Hon'ble Judges : Manisha Batra, J

Bench : Single Bench

Advocate : Mr. Amit Arora, Advocate for the petitioner; Ms. Ruchika Sabherwal, Senior DAG, Punjab.

Final Decision : Petition disposed of

Judgement

1. The instant petition has been filed by the petitioner seeking quashing of the order dated 08.05.2026 passed by Learned Judicial Magistrate First Class, Amritsar in criminal complaint No.NACT-2783-2023 registered under Section 138 of Negotiable Instruments Act, 1881 titled as *Punjab and Sind Bank Versus Judgebir Singh*, whereby the bail of the petitioner was cancelled and bonds were forfeited to the State on account of his non-appearance. Now proclamation proceedings have been initiated against him and proclamation is ordered to be issued for 06.08.2026.

2. It is argued by learned counsel for the petitioner that the petitioner had been regularly appearing before the Learned Trial Court. He had wrongly noted down the next date of hearing as 23.05.2026 instead of 23.04.2026 and due to this misunderstanding, he could not appear before the Learned Trial Court due to which his bail was cancelled. His absence before the Learned Trial Court was not intentional but due to the reason narrated above. He is ready to join proceedings before the Learned Trial Court and to abide by the terms and conditions to be imposed upon him. It is, therefore, argued that the petition deserves to be allowed.

3. Notice of motion.

4. Learned State counsel accepts notice of the petition on the asking of the Court and is ready to argue the matter. It is argued by learned State counsel that there is no illegality or infirmity in the impugned order. The petitioner had been avoiding his appearance before the Learned Trial Court in the past also and the Learned Trial Court had rightly recorded that his absence was intentional and willful. It is also argued that even proclamation proceedings have been issued against the petitioner. It is thus, stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by the parties.

6. On perusal of the record it is revealed that the petitioner has been regularly appearing before the Learned Trial Court and it was on account of non-appearance on 08.05.2026, that his bail was cancelled and bonds were forfeited to the State. Though this Court does not find any illegality or infirmity in the impugned order, however, keeping in view the fact that the petitioner is ready to join the proceedings before the Learned Trial Court and is ready to abide by the terms and conditions to be imposed upon him by the Trial Court, the petition is disposed of by giving direction to the petitioner to surrender before the Trial Court on 06.08.2026, which is the date already fixed and on doing so and furnishing fresh personal as well as surety bonds to the satisfaction of Learned Trial Court, he shall be admitted to bail by the Trial Court.

7. A copy of this order be served through Bench Secretary.