IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Cr. MMO No.926 of 2026
Decided on: 24.08.2026

Rakesh Kumar ……. Petitioner

Versus

PNB Branch, HP Secretariat Chotta Shimla ……Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?[1]

For the petitioner : Mr. Naveen K. Dass, Advocate.

For the respondent : None

Sandeep Sharma, Judge (oral):

Petitioner herein, who is apprehending his detention pursuant to the NBWs issued by learned Additional Chief Judicial Magistrate, Court No.2 Shimla, H.P in proceedings initiated by the respondent-Bank under Section 138 of the Negotiable Instruments Act, has approached this Court in the instant proceedings filed under Section 528 of the BNSS for granting him one opportunity to cause presence before the learned Court below.

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[1]*Whether the reporters of the local papers may be allowed to see the judgment?*

High Court of H.P.

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2. Having regard to the nature of order proposed to be passed, this Court sees no necessity to issue notice to the respondent-Bank.

3. Having taken note of the fact that despite repeated opportunities, petitioner-accused failed to come present before the learned Court below, though this Court sees no justification to grant time to the petitioner, however by way of indulgence, one opportunity is granted to the petitioner to remain present before the Court below on 25.08.2026 and till then NBWs issued by the Court below for causing presence of the petitioner on 25.08.2026 shall not be executed rather same shall remain in abeyance and no coercive action shall be taken against the petitioner. However, in case, the petitioner fails to appear on 25.08.2026, NBWs issued by the Court below shall revive and police would be at liberty to execute the same in accordance with law. In the aforesaid terms, present petition is disposed of.

(Sandeep Sharma)
Judge

August 24, 2026
(meera)

High Court of H.P.

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