

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-27320 of 2015
Date of Decision: 21.8.2015.**

Sukhpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. G.B.S.Gill, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No. 150 dated 12.11.2014 under Section 420 of the Indian Penal Code, 1860, registered at Police Station Nehianwala, District Bathinda.

Heard.

Petitioner is in custody since 26.6.2015. As per the prosecution case, petitioner has failed to return the amount taken by him from the complainant. The cheques issued by the petitioner were dishonoured with the remarks "insufficient funds".

Learned counsel for the petitioner has submitted that no complaint had been filed under Section 138 of the Negotiable Instruments Act, 1881 qua dishonour of cheques in question and suit for recovery of the amount in question had also not been filed

by the complainant.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Bathinda.

**(SABINA)
JUDGE**

August 21, 2015
Gurpreet