

CRM-M-1078-2016

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

CRM-M-1078-2016

Date of Decision: 07.09.2016

Naresh Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

Mr. Jagjot Singh, Advocate for
Mr. Kunal Dawar, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in Criminal Complaint No.687/2014 dated 16.10.2014, titled as 'Sarita Sharma vs. Naresh Kumar and another', under Sections 138 and 141 of the Negotiable Instruments Act, 1881.

Notice of motion was issued in this case.

Mr. Vikramjit Singh, Addl. A. G. Haryana has put in appearance on behalf of the respondent-State and Mr. Jagjot Singh, Advocate on behalf of Mr. Kunal Dawar, Advocate has appeared for respondent No.2 and contested this petition.

I have heard learned counsel for the petitioner; learned State

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counsel as well as learned counsel for respondent No.2 and have gone through the record.

From the record, I find that the present petitioner absented himself from the court proceedings. As argued, there was no intention on the part of the petitioner to evade the process of law and non-appearance before the court was solely on the ground that the petitioner was in the process of making an attempt to settle the matter with the complainant.

In pursuance of the interim order dated 13.01.2016 passed by this Court, the petitioner appeared before the trial Court and has been granted interim bail in the sum of ₹5,00,000/- vide order dated 22.01.2016. Since then, he has been appearing before the trial Court as argued by learned counsel for the petitioner. Copy of the order dated 22.01.2016 is taken on record.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that trial of the case will take a long time and no useful purpose would be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 13.01.2016 passed by this Court, granting interim bail to the petitioner, is made absolute.

07.09.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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