

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(299)

CRM-M-33890-2016

Date of Decision:-28.09.2016

Tapinderjeet Singh

.....Petitioner

V/S

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. J.S. Dadwal, Advocate,
for the petitioner.

Ms. Rimplejit Kaur, Assistant A.G. Punjab.

A.B. Chaudhari, J. (Oral)

Rule.

Heard forthwith with the assistance of counsel for the rival parties.

The petitioner seeks regular bail in complaint No.22/4 dated 07.02.2011 registered under Section 138 of Negotiable Instrument Act pending before learned SDJM, Khanna, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner was declared proclaimed offender and was granted anticipatory bail by the Sessions Court and as such there is no reason to ask for any relief in that context.

Learned counsel for the petitioner submits that now the petitioner has not been granted bail in complaint No.22/4 dated 07.02.2011 registered under Section 138 of Negotiable Instrument Act. He submits that the trial Court as well as learned Sessions Court both rejected the application of the petitioner for grant of regular bail and consequently, the

petitioner is in jail since 04.06.2016. The petitioner submits that in a dispute regarding cheque, he is facing prosecution under Section 138 of Negotiable Instrument Act, and is entitled to bail, particularly when the case is pending since, 2011 without any fruitful result. It may be that the petitioner is responsible for the delay in the sense that he was declared proclaimed offender but then to push the petitioner in jail and to deny regular bail would be harsh.

In that view of the matter, I think the petitioner is entitled to grant of regular bail. Hence, I make the following order:-

ORDER

1. Bail petition is allowed.
2. Bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned on such terms and conditions as would deem fit and proper to the Chief Judicial Magistrate/Duty Magistrate.

September 28, 2016

pankaj

(A.B. Chaudhari)
Judge**Whether speaking/reasoned****Yes/No****Whether reportable****Yes/No**