

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

CRL. MISC. No.M-18515 OF 2017 (O&M)
DATE OF DECISION : 12th SEPTEMBER, 2017

Baljeet Singh

.... Petitioner

Versus

State of U.T. Chandigarh & another

.... Respondents

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

* * * *

Present : None for the petitioner.

Ms. Ashima Mor, APP, U.T. Chandigarh.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in Criminal Complaint No.127/2015, dated 02.01.2015 under Section 138 and 141 of Negotiable Instruments Act 1881 titled as Sher Singh versus Baljeet Singh.

None has appeared for the petitioner. Heard learned counsel for the UT Chandigarh.

Learned Counsel for the UT Chandigarh, upon reading all the record, submits that the complaint under Section 138 of the Negotiable Instruments Act relates to the issuance of cheque in the sum of ₹6.50 lacs.

Upon perusal of the impugned order it appears that the petitioner did not appear before the trial Court and as such the

proclamation order under Section 82 Cr.P.C. was issued against him. The trial Court also rejected his regular bail application.

In my opinion, since the dispute amongst the parties in a private complaint relates to the dishonour of cheque, the liberty of the petitioner cannot be curtailed any longer so far as the regular bail is concerned because since he is in jail.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-18515 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall continue to appear before the trial Court with promptitude till the completion of trial.
- (iv) Any further failure on the part of the petitioner shall result into taking him in custody by the trial Court.

Disposed of accordingly.

12th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>