

280

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

CRM-M-23050 of 2017

Date of decision: August 21, 2017

Puneet

.....Petitioner

Versus

Ved Parkash Jiyan and another

.....Respondents

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

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of anticipatory bail in complaint case No.589 dated 01.04.2016, under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act') titled as 'Ved Parkash Jiyan versus Puneet'.

This Court had issued notice of motion to the respondent and also called the record of the trial Court. Record of the trial Court be sent back forthwith, if not already sent back. Learned counsel for the petitioner has not paid the process fee and that is why notice could not be issued to respondent No.1. However, looking to the nature of matter, I think there is no point in delaying the proceedings in this Court or the trial Court. Petitioner remained absent on 10.10.2016 and therefore, the trial Court had issued non-bailable warrants for his arrest.

Learned State counsel submits that the amount involved in the present case is ₹23 lakhs.

In my opinion, since the case is under NI Act, the petitioner should be given a chance to be at liberty during trial. However, the same shall be subject to deposit of costs of ₹25,000/- payable to the complainant.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on anticipatory bail, in complaint case No.589 dated 01.04.2016, under Section 138 of the NI Act titled as 'Ved Parkash Jyani versus Puneet', on furnishing fresh bail bonds before the trial Court within 4 weeks from today, to the satisfaction of the trial Court concerned. Simultaneously, petitioner shall deposit costs in the sum of ₹25,000/- with the trial Court to be forfeited to the complainant.

(A.B. CHAUDHARI)
JUDGE

August 21, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No