

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

**CRM No.M-24146 of 2017
Decided on: 19.07.2017**

Prem Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. P.S. Guliani, Advocate
for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.188 dated 13.07.2015, for offence punishable under Sections 420, 506 and 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station City Sangrur, District Sangrur.

Counsel for the petitioner has submitted that the FIR shows that in lieu of settlement for an amount of Rs.3,15,000/- the petitioner had given two cheques amounting to Rs.3,15,000/- and Rs.85,000/-. However, the cheques were dishonoured by the bank. The complainant has already filed a complaint under Section 138 of the Negotiable Instruments Act. Counsel further contends that on the same set of allegation, the present FIR has been registered. It is further contended that the petitioner is in judicial custody since 30.04.2017 and is ready to face the proceedings, in accordance with law. As on today, the petitioner is in custody for about 02 months and 15 days. It is

further contended that the case is triable by the Court of Magistrate and it will take long time in conclusion for trial.

Counsel for the State has not disputed the factual assertions but opposed the prayer for bail.

I have heard counsel for the parties and perused the paperbook.

Considering the fact that the petitioner has already suffered custody for a period of 2 ½ months and conclusion of the trial may take some time, without meaning to express any opinion on merits of the case, bail to the petitioner subject to satisfaction of the trial Court. However, he shall remain bound by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade his/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

(ARVIND SINGH SANGWAN)
JUDGE

19.07.2017
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No