

CRM-M-29331-2017

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

CRM-M-29331-2017

Date of Decision: 25.10.2017

Vidya Sagar

... Petitioner

Versus

State of Union Territory, Chandigarh

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Y.M.Bhagirath, Advocate,
for the petitioner.

Mr. Gautam Dutt, A.P.P for respondent No.1-
U.T. Chandigarh.

Mr. Charanpreet Singh, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner-Vidya Sagar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in Complaint Case No.9631/2014, under Section 138 of the N.I.Act, filed by respondent No.2 against him, which is pending in the Court of learned Judicial Magistrate Ist Class, Chandigarh.

Notice of motion was issued. Learned A.P.P. for U.T. Chandigarh appeared on behalf of respondent No.1 and respondent No.2 also appeared through his counsel. They contested the instant petition.

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I have heard learned counsel for the parties as well as learned A.P.P. for U.T. Chandigarh and gone through the record.

Learned counsel for respondent No.2 submitted that earlier, the petitioner was declared proclaimed offender.

The petitioner has been in custody since 08.06.2017 i.e. for the last more than four and half months. Otherwise also, the offence under Section 138 of the N.I.Act is bailable in nature. Now, the petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. Therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

25.10.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No