

CRM-M-40396-2016

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

CRM-M-40396-2016

Date of Decision: 27.01.2017

Jagjit Singh

... Petitioner

Versus

M/s Sharp Radio Corporation and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Malkeet Singh, Advocate,
for the petitioner.

None for respondent No.1.

Mr. Deep Singh, AAG, Punjab,
for respondent No.2-State.

INDERJIT SINGH, J. (Oral)

Registry has reported that notice issued to respondent No.1 has been received back served through son of its proprietor. However, none has appeared on behalf of respondent No.1.

Petitioner-Jagjit Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in complaint case No3134 dated 02.11.2015, titled as 'M/s Sharp Radio Corporation versus Jagjit Singh', under Section 138 of the Negotiable Instruments Act, 1881, pending in the Court of Sh. Jaginder Singh, Judicial Magistrate Ist Class, Amritsar.

Notice of motion was issued in this case. Learned State

counsel put in appearance on behalf of respondent No.2-State and contested

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this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner argued that a petition bearing No.CRM-M-42909-2016 was filed by the petitioner challenging the order declaring him as proclaimed offender. In that petition, vide order dated 23.12.2016, passed by this Court, the petitioner was directed to surrender before the trial Court within 15 days from the day of order and on doing so he shall be released on interim bail to the satisfaction of learned trial Court. Learned counsel further stated that in compliance of the order dated 23.12.2016, the petitioner has already appeared before the trial Court and vide order dated 03.01.2017 passed by the trial Court, he has been released on interim bail.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time, therefore, no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 23.12.2016, granting interim bail to the petitioner, is treated as absolute, in this petition.

27.01.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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