

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-37044-2018

Date of Decision: 10.10.2018

Harpreet Singh

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Saurabh Singh, Advocate for
Mr. Pardeep Bajaj, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.

Petitioner Harpreet Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in criminal complaint under Section 138 of the Negotiable Instruments Act bearing No. NACT/339/2016 dated 02.08.2016, P.S. City Batala, District Gurdaspur.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

The complainant was served, but none has come present on his behalf.

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

The offence under Section 138 of the Negotiable Instruments Act is bailable offence. The petitioner had been declared proclaimed person for not appearing before the trial Court. Now, in view of the interim order

dated 28.08.2018, the petitioner has already surrendered before the trial Court and has been released on interim bail.

The petitioner is not required for interrogation purpose as he is only to face the trial. No useful purpose would be served by sending the petitioner to custody.

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 and 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 28.08.2018, granting interim bail to the petitioner, is made absolute.

10.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No