

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14655-2019

Date of Decision: 30.05.2019

Lalit Kumar Chadda

.. Petitioner

Vs.

Vijay Kumar Gupta and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gaurav Partap Singh Pathania, Advocate for the petitioner.

Mr. S.K. Arya, Advocate for respondent No.1

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Lalit Kumar Chadda has filed this petition under Section 438 Cr.P.C. for grant of anticipatory in complaint bearing No. NI Act/1233/2016, dated 06.10.2016 filed under Section 138 of the Negotiable Instruments Act, 1881, by respondent No.1.

Notice of motion was issued.

Learned counsel for respondent No.1 and learned State counsel have appeared and contested this petition.

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

This is a complaint case under Section 138 of the Negotiable Instruments Act.

As per the prosecution version, the present petitioner absented himself from the Court proceedings on 21.09.2018 and was later on declared as proclaimed offender vide order dated 17.01.2019.

In compliance of order dated 01.04.2019 passed by the co-ordinate Bench, the petitioner has already appeared before the trial Court and has already deposited ₹10,000/- with the District Legal Services Authority, Pathankot and has been released on interim bail by the trial Court.

The petitioner is not required for interrogation purpose as he is only to face the trial. The offences are triable by the Judicial Magistrate, 1st Class. No useful purpose would be served by sending him 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 merit in this petition and the same is allowed. The order dated 01.04.2019, granting interim bail to the petitioner, is made absolute.

30.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No