

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-49993 of 2018

.....

Date of decision:13.03.2019

Jatinder Singh alias Gagan

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Vivek Gupta, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the  
respondent-State.

Mr. Varun Mittal, Advocate for the complainant.

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**Inderjit Singh, J.**

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0168 dated 2.6.2017 registered for the offences under Sections 420, 406 and 120-B IPC at Police Station City Sangrur, District Sangrur.

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Varun Mittal, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the parties and learned State counsel appearing for the respondent-State and have gone through the record.

Learned counsel for the petitioner argued that the cheque given by the petitioner to the complainant was dishonoured time and again due to insufficiency of funds. Complaint under Section 138 of the Negotiable Instruments Act, 1881 is pending. Learned counsel for the petitioner further argued that the liability qua offences under Sections 406 and 420 IPC is not made out.

The present petitioner has already joined the investigation. As stated he is not required for any custodial interrogation. The case is mostly based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

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, I find merit in this petition and the same is allowed. The interim order dated 15.11.2018 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

March 13, 2019.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |