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

CRM-M-46361 of 2019

Date of decision: December 18, 2019

Adarsh Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.P.S. Chakkal, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in compliant case bearing No.NACT 224/2016 dated 14.06.2016 titled as “Parmjeet Singh versus Adarsh Kumar”, under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act').

It is contended by the learned counsel for the petitioner that he is in custody since 04.09.2019. Also contended that the petitioner shall fully cooperate in the proceedings before learned trial Court and shall not commit any recurrence in future.

The above factual position regarding custody of the petitioner is duly acknowledged by the learned State counsel, on instructions from ASI Kulbir Singh.

Heard both sides and perused the paper-book.

Since the offence under Section 138 of the NI Act committed by the petitioner is bailable, he is in custody for the last more than 3 months on account of the fact that he was declared as a proclaimed person; and even the cheque amount involved is only ₹1.20 lakhs, therefore, this Court deems it appropriate to release the petitioner on bail pending trial.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

December 18, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No