

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

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**CRM-M No.62259 of 2018.
Date of Decision: 16.01.2019.**

Sandeep Kumar alias Bunti

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Prashant Bansal, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab
for respondent No.1.

Mr. S.S. Grewal, Advocate, for respondent No.2.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in Criminal Complaint bearing No.COMA/576/15 dated 26.08.2015 under Section 138 of the Negotiable Instruments Act, 1881, pending in the Court of Sub Divisional Judicial Magistrate, Rajpura.

Learned counsel representing the petitioner contended that the petitioner is in custody since 05.12.2018. Moreso, father of the petitioner has died on 11.01.2019 and the petitioner is to perform last rites of his father being the only son, so be he released on bail.

Learned State counsel as well as learned counsel representing respondent No.2, while opposing the prayer for bail, contended that

previous conduct of the petitioner does not make out a case for his release on bail as he was declared as proclaimed offender on 03.01.2018.

Having considering the above facts in entirety and the fact that the petitioner is in custody since 05.12.2018, decision of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. The petitioner is ordered to be admitted on regular bail on furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate. The Magistrate shall ensure that sureties are sound and atleast two sureties shall furnish surety bonds.

(SHEKHER DHAWAN)
JUDGE

16.01.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No