

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-39996 of 2018

.....

Date of decision:21.02.2019

Hardeep Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Present: Mr. K.R. Dhawan, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab for
the respondent-State.

Mr. H.S. Thiara, Advocate for the complainant-respondent
No.2.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in view of the order dated 06.07.2018 passed by learned Additional Sessions Judge, Ludhiana, vide which the petitioner has been ordered to be summoned through the non-bailable warrants of arrest, in Criminal Appeal No.724 dated 07.10.2017, filed against the order dated 13.09.2017 passed by learned Judicial Magistrate Ist Class in complaint case No.5650/15 instituted on 28.05.2015 and filed by T.K. Trading Company under Section 138 of Negotiable Instruments Act, 1881.

Notice of motion has been issued in this case.

Mr. Dhruv Dayal, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. H.S. Thiara, learned Advocate has appeared for respondent No.2-complainant

and contested this petition.

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

As per petitioner's version, he absented from the appellate Court and non-bailable warrants have been issued. Learned counsel for the petitioner also admitted that in view of the interim order passed by this Court, the petitioner has already surrendered before the learned appellate Court and has been released on interim bail.

The disposal of the appeal is likely to take long time. No useful purpose will be served by sending the petitioner to custody or to keep him in custody till the disposal of the appeal.

Keeping in view the facts and circumstances of the present case; I find merit in this petition and the same is allowed. The interim order dated 13.9.2018 passed by this Court granting interim bail to the petitioner is made absolute.

February 21, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No