



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

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CRM-M -35719-2024

Date of Decision : **August 01, 2024**

AJAY KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. J.S.Yadav, Advocate for the petitioner.
Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in complaint bearing NACT No. No.79 dated 3.7.2019, under Sections 138/142 of the Negotiable Instruments Act, 1881, titled as “Sanjay Kumar Vs. Ajay Kumar”.

2. The petitioner is facing trial in a bailable offences and was earlier granted the concession of regular bail by the learned trial Court concerned. However, on account of his absence, his bail bonds were cancelled and surety bonds were forfeited to the State. Apart from this, the reason for declining the relief of regular bail, by the learned Additional Sessions Judge concerned vide order dated 19.7.2024, is that the non deposit of 20% of the cheque amount by the petitioner, despite specific directions by the learned trial Court concerned.

3. Learned counsel for the petitioner outrightly submits that the petitioner is now ready and willing to deposit 20% of the cheque amount as directed by the learned trial Court concerned within, two months from today.

4. Be that as it may, considering the fact that the offences under which the petitioner is facing trial are bailable and he is behind bars since 11.7.2024 and he is now ready to make compliance to the directions of the learned trial Court concerned, with regard to the deposit of 20% of the cheque amount, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **disposed** of.

5. The petitioner is ordered to be released on bail on furnishing of fresh bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate. The petitioner is also directed to deposit 20% of the cheque amount within two months from today. It is made clear that in case the petitioner fails to deposit 20% of the cheque amount within two months from today, the learned trial Court concerned is at liberty to forthwith cancel the bail of the petitioner.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 01, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No