

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

CRM-M-12900-2016 (O&M)

Date of decision : 08.09.2016

Rajeshwar Sabharwal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Toor, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Harjinder Singh.

Mr. Deepak Sabharwal, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.02 dated 04.01.2016, registered under Sections 420, 406 and 120-B of the Indian Penal Code, at Police Station Sadar Khanna, Distt. Ludhiana.

Heard.

On 12.04.2016, the following order was passed:-

“Counsel would place reliance upon an order dated 23.02.2016 passed by this Court in CRM No.M-4584 of 2016 at Annexure P-2 to contend that the dispute has since been settled and the total amount of Rs.10,42,000/- already stands made over to the complainant and on account of such settlement co-accused Gurvinder Singh @ Gurinder Singh @ Ladi had been granted concession of pre-arrest bail.

Court has been informed that even a petition under Section 482 Cr.P.C. seeking quashing of FIR in

question on account of settlement having arrived at i.e. CRM No.M-8409 of 2016 has already been filed and in which notice of motion has been issued, returnable for 10.05.2016.

Notice of motion, returnable for 10.05.2016.

To be listed along with CRM No.M-8409 of 2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 12.04.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

08.09.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No