

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

CRM-M -16719 of 2016 (O&M)

Date of decision: 21.11.2016

Jagdish Arora

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Handa, Advocate for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Babloo Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.0219 dated 07.04.2016, registered under Sections 406 and 420 of IPC, at Police Station DLF, District Gurgaon.

On 25.05.2016, this Court had passed the following order:-

“At the time of hearing today, learned counsel for the petitioner has tendered a DD No.224223 dated 21.5.2016 for a sum of Rs.1 lac drawn on Corporation Bank, photocopy of which has been retained, in terms of the submissions regarding amicable settlement, made on the last date of hearing.

Said DD has been handed over to the I.O., for forwarding the same to the complainant.

Learned counsel for the petitioner further submits that another sum of Rs.1 lac already stands paid as per P-4 and the remaining amount would be tendered on or before the next date of hearing.

Learned State counsel on instructions submits that

petitioner is yet to join investigation.

Adjourned to 4.8.2016 for further consideration.

In the meanwhile, petitioner shall appear before the I.O., as and when called upon for investigation. In the event of arrest, the petitioner shall be released on interim bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.

Parties are directed to remain present in Court on the next date of hearing. Investigating Officer shall ensure presence of the complainant in Court, on the next date of hearing.”

It is contended that in pursuance of the order dated 25.05.2016, the petitioner has joined the investigation.

In pursuance of the order dated 25.05.2016, the complainant has not come present.

The learned State counsel, on instructions submits that 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 25.05.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

21.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No