

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

CRM-M-2688-2016 (O&M)

Date of decision : 27.07.2016

Surinderpal Singh

...Petitioner

Versus

Haravtar Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Abnash Singh, Advocate for the petitioner.

Mr. M.S. Longia, Advocate for respondent No.1.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure, in complaint case No.9 of 01.02.2013, under Section 138 of the Negotiable Instruments Act, titled as Haravtar Singh Vs. Surinder Pal, pending before Sub-Divisional Judicial Magistrate, Kharar.

Heard.

On 25.01.2016, the following order was passed:-

“Counsel would inter alia contend that only on account of non-appearance before the trial Court on one solitary date that the concession of bail has been withdrawn and subsequently the petitioner has been declared as a proclaimed offender. It is also submitted that the petitioner/accused is otherwise ready and willing to settle the entire outstanding dues with the complainant. It is further submitted that out of the total sum of Rs.12,98,000/- that was due to the complainant, a sum of Rs.10,50,000/- has already

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been made over towards compliance of a verbal compromise between the parties.

Notice of motion, returnable for 12.04.2016.

In the meanwhile, it is directed that in case the petitioner duly appears before the trial Court within a period of one week from today, he would be entitled to ad interim protection as regards arrest subject to satisfaction of the trial Court.”

Learned counsel for the petitioner states that in pursuance of order dated 25.01.2016, the petitioner has appeared before the trial Court and furnished requisite bonds. He further undertakes to repay the entire remaining amount on or before the next date of hearing before the trial Court, along with Rupees fifty thousand, as compensation to the complainant, Haravtar Singh.

In view of the statement made, learned counsel for the complainant states that he has no objection in case, the present petition is allowed.

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 25.01.2016, is made absolute.

The petition stands allowed.

27.07.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : **Yes** **No**

Whether Reportable : **Yes** **No**