

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

**CRM-M No.35971 of 2015 (O&M)
Date of Decision: 15.03.2016**

Dalbir Singh

..... Petitioner

Vs.

Union Territory of Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. A.D.S.Sukhija, Advocate for the petitioner.

Ms. Ashima Mor, Additional Public Prosecutor, U.T., Chandigarh
for respondent No.1 assisted by ASI Baljit Singh.

Mr. Pardeep Bajaj, Advocate for the complainant/respondent No.2.

JASWANT SINGH, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner-Dalbir Singh, who has been booked for having committed the offences punishable under Sections 420 and 120-B of the Indian Penal Code, in a case arising out of FIR No.399 dated 22.09.2015, registered at Police Station Sector 39, Chandigarh (**Annexure P-1**).

The complainant-Surinder Pal Singh and the present petitioner/accused-Dalbir Singh are employed as Sub Inspectors with the Punjab Police.

It is alleged by the complainant-Surinder Pal Singh that the petitioner-Dalbir Singh had induced him to pay a sum of Rs.7 Lacs for allotment of a plot by the Chandigarh Housing Board through co-accused/non-applicant-Sita Ram, who is well known to the petitioner-Dalbir Singh. The payment of the said amount is made on two different dates to both the present petitioner and co-accused Sita Ram.

During the course of hearing on the previous date, the petitioner was granted an opportunity to enter into an amicable settlement with the complainant.

At the time of hearing, it is stated that the petitioner has agreed to pay a sum of Rs.4 Lacs by way of installments within a period of next six months by 31.08.2016.

Learned Counsel for the complainant has accepted the proposal of the petitioner/accused and has submitted that on such payment, he would not press charges qua the present petitioner/accused-Dalbir Singh, as also would withdraw the complaint under Section 138 of the Negotiable Instruments Act qua the dishonoured cheque of Rs.9.56 lacs issued to secure the aforesaid transaction.

Learned Counsel for respondent No.1, assisted by ASI Baljit Singh, submits that petitioner has joined the investigation and in the light of the stand of the complainant, his custodial interrogation is no longer required.

In view of the aforesaid developments, the interim protection/pre-arrest bail granted by this Court vide order dated 03.11.2015 is made absolute.

The parties shall be bound by their aforesaid respective stands. Failing which, they shall make themselves liable for being hauled up in contempt proceedings apart from other consequences.

Disposed of.

March 15, 2016

Gagan

**(JASWANT SINGH)
JUDGE**