

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

**Crl. Misc. No.M-13323 of 2017 (O&M)
Date of Decision: July 14, 2017**

Gulshan Pahwa

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. I.S. Ratta, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Senior D.A.G., Punjab.

Complainant in person with
Mr. Vikram Bali, Advocate.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.51 dated 05.03.2017 registered for the offence punishable under Section 420 of Indian Penal Code, at Police Station Division No.5, Ludhiana.

Heard.

Learned counsel for the petitioner submits that the matter has since been amicably settled vide written compromise dated 11.07.2017 arrived at Mediation and Conciliation Centre of this Court. Under this settlement, petitioner has given four post dated cheques to the complainant.

Learned counsel for the complainant submits that a draft of ₹10

lakh bearing No.511962 dated 10.05.2017 brought by the petitioner is lying in safe custody of Cash Branch of this Court as per order passed by Director, Mediation and Conciliation Centre on 10.05.2017. Same be given to the complainant, who is present in the Court today, for encashment.

Learned counsel for the petitioner submits that he has no objection if that draft is handed over to the complainant and he seeks encashment of the same.

Accordingly, a direction is issued to the Registrar General of this Court to hand over above referred draft of ₹10 lakh to complainant Rakesh Kumar son of Madan Lal, whose particulars are mentioned in detail in the settlement/compromise dated 11.07.2017, against proper receipt and identification.

As the matter has been amicably settled, this petition is allowed. Petitioner is directed to surrender before the police and join the investigation within two weeks. In the event of his arrest being required, he shall be released on bail, till the presentation of challan, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him. He shall seek regular bail after presentation of challan before the trial Court.

(SURINDER GUPTA)
JUDGE

July 14, 2017
Sachin M.

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

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