

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

**Crl. Misc. No.M-25750 of 2017 (O&M)
Date of Decision: December 06, 2017**

Kamal Dhir @ Gopal Dhir

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mohit Garg, Advocate
for the petitioner (s).

Mr. C.L. Pawar, Sr. D.A.G. Punjab.

Mr. Nandan Jindal, Advocate
for the complainant.

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.75 dated 30.06.2017 registered for the offences punishable under Sections 420, 406, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code, at Police Station City Dhuri, District Sangrur.

Heard.

Learned counsel for the petitioner has handed over a demand draft dated 05.12.2017 amounting to ₹40,000/- and a post-dated cheque of ₹45,000/- bearing No.703795 to learned counsel for the complainant in Court today.

Learned counsel for the complainant submits that in view of the settlement between the parties, the matter has been finally settled and the complainant has no objection if the interim order dated 20.07.2017 is made

absolute. He further submits that parties have also agreed that in the event of quashing petition being filed by the petitioner, the complainant will have no objection if the same is allowed.

Learned State counsel submits that petitioner has since joined the investigation, which is still in progress but his custodial interrogation is not required for the purpose of further investigation.

In view of submission of learned counsel for the petitioner, complainant and State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 20.07.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

December 06, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No