

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

**CRM No.M-42675 of 2016 (O&M)
Date of decision:16.01.2017**

Sarbdeep Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sushil Saini, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

Mr. Vishal Handa, Advocate for respondent No.2/complainant.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in a complaint case bearing No.1663 dated 30.05.2016, under Section 138 of the Negotiable Instruments Act titled as The Amritsar Central Cooperative Bank Ltd. Vs. Sarabdeep Singh pending in the Court of learned Judicial Magistrate 1st Class, Amritsar.

On 30.11.2016, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel states that apart from the merits of the case the petitioner is ready to clear the entire outstanding amount as mentioned in the complaint of the respondent No.2 and in case he is given interim protection he will ensure this before the next date of hearing.

Notice of motion.

On the asking of the Court, Mr. B.S. Thind, Assistant Advocate General, Punjab accepts notice on behalf of the respondent No.1.

Learned counsel for the petitioner undertakes to supply a copy of the paper book to the learned AAG during the course of the day.

Learned counsel for the petitioner further undertakes to serve the respondent No.2 through its counsel in the trial Court by way of dasti process.

Allowed as prayed for. Dasti only.

Adjourned to 21.12.2016.

In the meantime, arrest of the petitioner shall remain stayed.”

During the course of resumed hearing and when the matter was taken up on 21.12.2016, assertion made by counsel for the petitioner that the outstanding amount of Rs.3.47 lacs had already been deposited in the account of respondent No.2/complainant through RTGS had been recorded. Counsel appearing for respondent No.2 could not confirm such development.

During the course of hearing today, counsel for the complainant concedes that the outstanding amount of Rs.3.47 lacs has been deposited in the account of the complainant.

Under such circumstances, prayer made in the present petition is allowed. Order dated 30.11.2016 passed by this Court is made absolute.

Disposed of.

16.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |