

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4228-2019 (O&M)
Date of decision : 21.05.2019

RAVINDER KUMAR

.....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Dhruv Dayal, Sr, DAG, Punjab.

Mr. Amandeep Vashisth, Advocate
for the respondent No.2.

INDERJIT SINGH, J (ORAL)

Petitioner-Ravinder Kumar has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.0005, dated 09.01.2019, registered at Police Station Dasuya, District Hoshiarpur, under Section 408 IPC.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

Respondent No.2 also appeared through his counsel.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

During the pendency of present petition, the matter was sent to Mediation and Conciliation Centre of this Court for amicable settlement of

the dispute.

Today, in view of the terms and conditions of the compromise, a demand draft of Rs.1,25,000/- (rupees one lakh twenty five thousand) is handed over by counsel for the petitioner to learned counsel for the respondent No.2/Company.

Learned counsel for respondent No.2 has submitted that the petitioner be bound down for complying with the terms and conditions of the compromise and otherwise he has no objection, if the concession of bail is granted to the petitioner.

Moreover, in pursuance of the interim order dated 30.01.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the case and by considering the compromise effected between the parties with the help of Mediator at Mediation and Conciliation Centre of this Court and in view of the payment of Rs.1,25,000/- (rupees one lakh twenty five thousand), through demand draft today in the Court in compliance with the terms and conditions of the compromise, I find merit in this petition and the same is allowed. The order dated 30.01.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

However, it is made clear that if the terms and conditions of the

compromise will not be complied with by the petitioner, the complainant-respondent No.2 will be at liberty to apply to this Court for cancellation of bail and non-compliance of terms and conditions of the compromise will be treated as good ground for cancellation of the bail.

(INDERJIT SINGH)
JUDGE

21.05.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No