

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

**CRM-M No.4337 of 2019 (O&M)
Date of Decision: 07.03.2019**

Swaran Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Kusum Raj, Advocate for
Mr. S.S.Sahu, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.13 dated 13.01.2019, under Sections 420, 120-B, 506/34 of the Indian Penal Code, registered at Police Station City Ratia, Tehsil Ratia, District Fatehabad.

Mr. H.P.S.Sandhu, Advocate has filed power of attorney on behalf of the complainant. The same is taken on record.

This Court, on 01.02.2019, passed the following order:-

“ Contends that petitioner is ready to repay an amount of ₹ 3,60,000/- (half of total ₹ 7,20,000/-) to the complainant within two weeks'.

Let needful be done within the stipulated period.

Adjourned to 07.03.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and

surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

It is contended by learned Counsel for the petitioner that in pursuance of the above order, petitioner paid an amount of ₹ 3,60,000/- to the complainant through Investigating Officer. Further contended that petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Nirmal Singh.

In view of above, interim order dated 01.02.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation and the payment of ₹ 3,60,000/- would be subject to the final outcome of FIR No.13 dated 13.01.2019 referred above.

The observations may not be considered as an expression of opinion on the merits of the case.

March 07, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>