

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

207

CRM-M-11983-2019 (O & M)
Date of Decision:18.10.2019

Abhishek Goyal @ Ashu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Sharma, Advocate for
Mr. Amit Sharma, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Jyoti - complainant in person.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.01 dated 17.01.2019 under Section 409 IPC, registered at NRI Kapurthala. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner contends that the FIR relates to the alleged criminal breach of trust, as the sale consideration required to be paid to the vendor was not transferred in the account by the accused (petitioner). Learned counsel has contended that the parties have arrived at a compromise and, therefore, the custodial interrogation of the petitioner may not be necessary.

On the other hand, complainant-Jyoti has appeared in person. She has not disputed the Memorandum of Compromise dated 17.09.2019 arrived at between the parties.

Learned State counsel, who is assisted by ASI Surjit Singh, identifies the complainant and reiterates the fact that the parties have entered into a compromise.

Considering the above background, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

18.10.2019

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No