

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3487-2018 (O&M)

Date of Decision: 16.07.2019

Nikhil Saraf

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. V.S. Mahal, Advocate for
Mr. Rajesh Narang, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

Mr. H.S. Dhillon, Advocate
for respondent No.2/complainant.

...

Inderjit Singh, J. (Oral)

Petitioner Nikhil Saraf has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.278 dated 28.12.2017, registered at Police Station Phase-1, District SAS Nagar, under Sections 406/420 of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel and counsel for respondent No.2/complainant have appeared.

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

Learned counsel for respondent No.2 states that respondent No.2/complainant has already received the amount in question and has no objection if the anticipatory bail is granted to the petitioner.

In pursuance of the interim order dated 29.01.2018, passed by

this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; in view of the compromise effected between the parties and the statement of the counsel for the complainant; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.01.2018, 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.

16.07.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No