

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-37889-2018 (O & M)
Date of Decision: October 18, 2019

JASWINDER SINGH RIAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Harneet Singh Oberoi, Advocate
for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.37 dated 16.06.2018, under Sections 406, 420 of the Indian Penal Code ('IPC' - for short) (Sections 465, 466, 467, 468, 471 and 120-B IPC added later on), registered at Police Station Satnampura, District Kapurthala.

Learned counsel for the petitioner contends that the FIR is the outcome of a monetary dispute between the parties which has now been compromised in the Mediation and Conciliation Centre of this court. The copy of the settlement is taken on record as Annexure 'A'.

Learned counsel for the complainant states that the matter has indeed been compromised but the petitioner has not made the payment in terms of the settlement.

Learned counsel for the petitioner states that the petitioner has handed over a demand draft for a sum of ₹50,000/- as the first installment to the complainant, who is present in Court. He has also filed an affidavit in terms of the settlement, setting out the time schedule for the payment of the remaining amount. The affidavit is taken on record.

This Court, by the order dated 30.08.2018, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Parvinder Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 30.08.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

However, liberty is granted to the parties to move an application in case terms and conditions of the compromise are not adhered to.

(ANUPINDER SINGH GREWAL)
JUDGE

October 18, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No