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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19234 of 2019

Date of decision: September 30, 2019

Prince Singla

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. P.K. Rohilla, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

None for respondent No.2.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.182 dated 28.02.2019, under Section 174-A of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Panipat, District Panipat.

On 30.04.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that in the complaint, filed under Section 138 of the Negotiable Instruments Act, 1881, the matter has been compromised and an amount of ₹85,000/- has been refunded to the complainant as full and final settlement.

On oral request of learned Counsel for the petitioner, complainant-M/s Ashrut Spinners, Kabri Road, Panipat through one of its partners, namely, Sh. Pawan Goel, through Special Power of Attorney-Sh. Krishan Kumar Goel son of Sh. Rambilas Goel, resident of H.No.179-A, Model Town, Panipat, District Panipat is ordered to be impleaded as party respondent No.2.

Registry is directed to amend the memo of parties accordingly.

Notice of motion for 29.07.2019.

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 in the present case 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.”

Learned State counsel, on instructions from HC Sunil Kumar, has stated that in terms of order dated 30.04.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 30.04.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

(MAHABIR SINGH SINDHU)
JUDGE

September 30, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No